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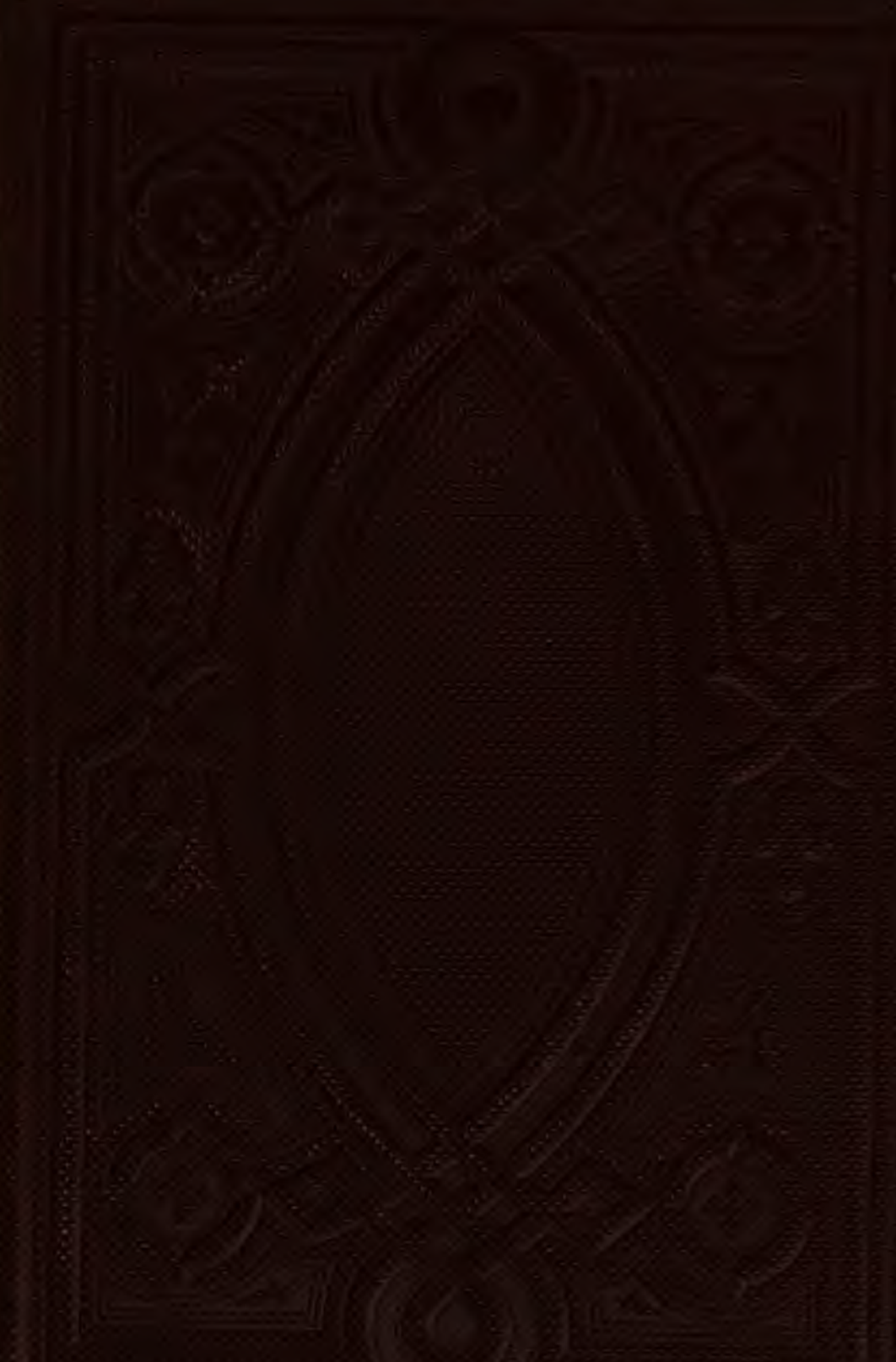

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A HISTORY

OF

NOVA-SCOTIA

OR

ACADIE.

BY

BEAMISH MURDOCH, Esq., Q. C.

VOL. II.

HALIFAX, N. S.:
JAMES BARNES, PRINTER AND PUBLISHER.
1866.

PROVINCE OF NOVA-SCOTIA.

BE IT REMEMBERED, That on this Thirteenth day of March, 1865, BEAMISH MURDOCH. of the City of Halifax, Esquire, has deposited in this Office, the title of a Book, the Copyright of which he claims in the words following :— "A HISTORY OF NOVA-SCOTIA OR ACADIE, BY BEAMISH MURDOCH, ESQ., Q. C."

JAS. H. THORNE, *Deputy Secretary.*

PREFACE.

THE first volume of this work, delineating the career of a French colony, has probably less to engage the attention of some readers than the present portion. After the peace of Aix la Chapelle, (1748), our history begins to have an English aspect, and actors appear upon the stage whose names are familiar, and from time to time the founders of families still existing among us attract our attention. The stir and excitement of wars and sieges,—the convulsions of revolution among our neighbors, pass on like the shifting scenes of dissolving views. The beginnings of agricultural and commercial enterprize appear, and the institution of representative government is firmly established in the land, bringing into active play many of the exciting passions. Meanwhile, emigration draws in skill, talent and industry, and by almost imperceptible degrees the people acquire habits, sentiments and pursuits suited to the land in which they live—to its climate and circumstances, and thus the Nova Scotian character is gradually developed. In the third volume I hope to bring down the narration to comparatively recent times. I have endeavored to reduce the materials I had collected into a brief space, but there were many things that tended to exhibit and illustrate the peculiarities of the place, the times and the people, and some biographical particulars, that I felt were worth preservation. I might have followed a stricter, perhaps more classical

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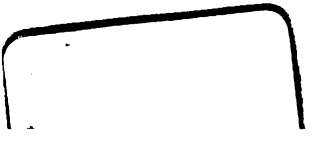

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A HISTORY

OF

NOVA-SCOTIA.

VOL. II.

CHAPTER I.

1740. On the 19 January, 1739-40, president Adams issued an order to John Handfield and Edward Amhurst, esquires, the executors of the late lieutenant governor Armstrong, stating that the deceased had for several years received the 'seigniorial rents' and other dues of his majesty,—that he had never rendered any accounts or made remittances to the hon. Horatio Walpole, king's receiver for America, nor communicated the state of the rents to the council or the secretary of the province. The president and council attach the same in the executor's hands, for eighteen months. After funeral charges and quarters are paid off and cleared, they are to retain his estate till the king's pleasure is known. Mr. Adams continued to administer the government as president of the council until March. Major Mascarene, who was senior to Mr. Adams on the list of councillors, had been in New England about five or six months, under a leave of absence granted by lieut. governor Armstrong, to settle some family affairs; and when there he was generally employed in some concerns relating to Nova Scotia. As soon as he heard that Armstrong was dead, he

prepared to return. He arrived at Annapolis on the 20 March. On Saturday, the 22d March, the council summoned by Mascarene as eldest councillor (as he states) met at Adams' house. Besides Mascarene and Adams, who each claimed the presidency and administration of the government, there were present seven other members, viz: William Skene, William Shirreff, Erasmus James Philipps, Otho Hamilton, John Handfield, Edward Amhurst, and John Slater. Mascarene being about to take the chair, as the eldest councillor present, was opposed by Adams, who said that he was president of the council, and that Mascarene must shew by what authority he dispossessed him of it. Several of the councillors endeavored to silence him, but he desired leave to plead for himself, and said that "major Mascarene was not at his duty when the "vacancy happened, but at Boston, in New England, where "his house is, and where his estate is, and where his residence "has been the great part of the time since the council has "been established, and that he had violated the fifth article of "H. M. instructions to the governor, by being absent from the "council and province from the year 1725 to the year 1731, "and was absent from the council from the year 1734 to the "year 1738. Moreover I said that I faithfully served his "majesty to the best of my capacity twenty years for nothing, "and now providence had put into my hands a morsel of bread, "major Mascarene was come in all haste from Boston to take "it from me." Mascarene replied that he did not come for that; that he was first absent making peace with the Indians by the governor's orders; and as for the second time, he was not out of the province a twelvemonth. Adams asked the council to consider it, exclusive of Mascarene and himself. The council adjourned to the house of Dr. Skene, taking Mascarene with them, and there swore him in as president, and framed the usual proclamation to be sent over the province, notifying his assuming the government, and directing all civil officers to continue in the discharge of their duties. In the afternoon of the same day, the secretary (Mr. Shirreff) came to Adams' house, and reported to him the judgment of the council in favor of Mascarene. From this judgment he ap-

pealed to his majesty, and said, "If you have done well by" "the house of Jerubable, then rejoice ye in Abimelech, and" "let Abimelech rejoice in you." The vote of the council in favor of Mascarene's claim was unanimous, with the exception of Mr. Adams. After this the latter so far acquiesced that he took his seat below the president. The next time he appeared in council he requested that his "appeal might be recorded "in the records of the council, and desired the *council's* leave "to be absent from the council and the province twelve "months, which" (he says) "the new president was affronted "at, because I did not ask his leave, but the council allowed "both my appeal and absence; but one of the members said "his majesty would not repeal what that board had done; "another said that I had £150 sterling coming to me for the "time I had served, and it would cost me a great part of that "sum to prosecute my appeal. I replied, altho' I had neither "silver nor gold, I hoped by some means or other to get my "reasons of appeal laid before his majesty." Adams enclosed his grounds of appeal to the duke of Newcastle in a letter dated March 28, 1740, humbly praying his grace, "in com-" "passion to a poor, helpless, blind man, in the 68th year of" "his age," to lay them before the king, and asks his aid at all events to secure him the allowance due him as president for the time he filled that office.

Mr. St. Poncy applied for a passport, signifying his design of departing out of the province by way of Mines. The council, 23 April, advised to allow him three months to do so. Mascarene sent him the passport, objecting to his protracted stay, and forbidding his exercise of priestly functions. He adds: *J'ay receu ce que je crois estre une replique à ce que je vous repondis au sujet de la dispute sur la religion. Je n'ai pas eu le tems de la lire, mais quand je l'aurai fait, je ne manquerai pas d'y faire les remarques que seront necessaires. Je suis avec estime, &c.* "I have received what I suppose to be a reply to "my answer to you on the subject of the dispute on religion. "I have not had time to read it, but when I shall have done so, "I will not fail to make the remarks on it that are necessary.— "I am with esteem, &c."

In May, official despatches from England were received, giving notice of the declaration of war against Spain. This war was declared at Annapolis on the 14 May, and ordered to to be also declared at Canso. (It had been declared in England 23 October, 1739.)

On the 27 May, Alexander Bourg is again made notary and receiver of kings' dues at Grand Pré, Mines. At this time Mr. Cosby was made lieutenant colonel of Philipps' regiment in place of Armstrong, deceased, and Mascarene major, in Cosby's place. One Mafils having been excommunicated by Vauxlin, a priest, applied for redress, as he was thereby cut off from all assistance, and even the necessaries of life. Vauxlin was sent for by the president and council 1 July, and promised in future not to do so. Mafils had been appointed by lieut. governor Armstrong as a messenger, under the name of a constable, to assist the deputies and the receiver of the kings' dues. Mafils had left a wife in France, and got married again here by a priest. The bigamy being discovered, the priests in Nova Scotia called on him to separate from the second wife, which he would not do. He was therefore excommunicated by the priest at Mines some years before 1740. But it appears that he came to Annapolis, and there M. Vauxlin, having been informed by letter from M. de la Godalie of this man's lying under the higher excommunication, proclaimed him publickly to his congregation as so excommunicated.

At a council held by order of the honble. Paul Mascarene, president of H. M. council, at the house of William Skene, esq., in the Lower Town of Annapolis Royal, on tuesday, the first of July, 1740, at ten o'clock, A. M.

Present:

His Honor the President.
John Adams, Esq.
William Skene, Esq.
William Shirreff, Esq.
Erasmus James Philipps, Esq.
John Handfield, Esq.
Edward Amhurst, Esq.

His honor the president acquainted the board that the cause of calling them together at this time was his being informed that Mr. Vauxlin, Romish missionary priest, had incroached upon the privilege granted the French inhabitants for the exercise of their religion by the treaty of Utrecht, by presuming to pronounce sentence of excommunication against one Mafils, who had thereupon complained that he was by virtue thereof deprived of all assistance and necessaries of life, which being without any legal process, and consequently contrary to the laws of Great Britain, he had therefore drawn up a scrawl proclamation, in order to prevent any such arbitrary proceedings of the Romish priests for the future; which, being read, it was agreed that the said Mr. Vauxlin should be sent for to appear before the board; who being come, and interrogated by what authority he had excommunicated the said Mafils as aforesaid, he thereunto replied that it was not he who excommunicated him, but that he had received a letter from Mr. DeGodalie, his superior, at Mines, signifying to him that the said Mafils was excommunicated, and that by virtue of such advice given him, he, in conscience, judged it his duty to acquaint his parishioners thereof, but that for the future he would do no such thing without first acquainting the Government. Then was again read the aforesaid scrawl, and after some amendments it was ordered to be published. Then the Board desired his Honor to write a letter in very strong terms to the deputies of the several districts of this province, when he sent them the said proclamation to be published, enjoining them strictly to observe the same, and also that he should write to Mr. De Godalie, (DeGodaler in ms.,) and other missionaries, on the same subject.

P. MASCARENE.

A proclamation was issued, forbidding sentences of excommunication in future, and sent to all the deputies, with circular letters, to be everywhere published and enforced.

Landry and others, French inhabitants of Annapolis, eight in number, had, without leave, gone to Tibogue, (Chebogue ?) and built houses there. This occupancy was in the winter; and there being objection made to it, they petitioned for leave

to go again there for the winter, with their families, which, in August, 1740, the council granted, forbidding them, however, to raise dykes or lay claim to the lands. Mr. Lemercier applied again respecting the grant of the isle of Sable, but as most of it was represented as "a low, boggy and sandy soil," "with large ponds or settlings of water occasioned by the" "overflowing of the tides, he thinks the penny an acre too" "much to pay for what cannot be improved." The advantage to the public, Mascarene says, in writing to the lords of Trade 16 August, 1740, in encouraging its settlement would be relief to those who should have the misfortune to be thrown on that dangerous shoal, and to the proprietors the grazing of cattle, fishing, and killing of seals for their oil and skins. (Lemercier had been allowed to keep people and cattle there in the time of lieut. governor Armstrong.)

Early in the autumn Mascarene received a letter from St. Poncy, dated from Louisbourg, whither he had retired, by which he understood he was about to come back to Chignecto. St. Poncy having come back, wrote openly from Chignecto, where he now established himself as missionary. Colonel Cosby addressed a letter to the fort major, E. J. Philipps, to be communicated to major Mascarene, "which also relating to St. Poncy's "return, and some private intelligence he had of said St. Poncy's "scheme to the prejudice of this Gov't., and purporting that "the Gov't. of Louisbourg expected a war with the English, "and that St. Poncy having acquainted them how much he "had gained over the minds of the inhabitants here in preju-"dice to the English Government, he was therefore dispatched "back, which he was not to own, but to give such reasons as "he thinks proper; and that he is to hold correspondence "with certain inhabitants of this place, and when a stroke is "to be given, it is to be against the governor and this garri-"son." At a council held 18 September, the president brought this matter before them. They advised that St. Poncy should be ordered to leave the province, and orders sent to the inhabitants of Chignecto not to permit his officiating there, &c. Mascarene soon after issued the order for his departure, and wrote to M. Bourg and M. Bergereau on the subject.

APPENDIX TO CHAPTER I.

(1.)

From the Gentleman's Magazine, Feb'y. 1740. London :—

Three Regiments of Foot, 1000 Men each, are raising with all Speed in our *American* Colonies, and will consist of Natives or those inur'd to the Climate. The Colonels, Lieut. Colonels, Majors and Subalterns are appointed by his Majesty, and their general Rendezvous is to be at *New York*, where the Royal Standard is set up. Their Cloathing is to be made here, which is Camblet Coats, brown Linen Waistcoats, with two Pair of Canvas Trowsers for each Man.

(2.)

Grant to Hibbert Newton, esq., collector of the Customs for the province, of one acre and two perches of land, on Canso hill. Date 17 March, 1740. 1st book of grants and deeds, p. 117.

Grant to Wm. Skene, of a lot given him in the town of Annapolis by governor Philipps' letter in 1722. Dated March, 1740. Both these grants were made by president Adams.

(3.)

From the Gentleman's Magazine for March, 1740 :—

Value of Paper Money, or Bills of Credit in the Plantations.

New England, Connecticut, Rhode Island, New Hampshire	525	for 100 *l.* Sterl.
New York	160	
The Jerseys	160	
Pennsylvania	170	
Maryland	200	
North Carolina	1400	
South Carolina	800	

New York. A Body of 300 *French* and 700 *Indians*, which in *June* last passed by our Frontiers from *Canada*, intending to extirpate a Nation of Southern *Indians*, called *Chicasaus*, (Friends to the *English*), were in a fair pitch'd Battle defeated by them with the Loss of 230 Men kill'd on the Spot, and 'twas presumed that very few of the Survivors would live to go back to *Canada*. The *French* have several times attacked those *Indians*, but without Success.

(4.)

28 March, 1740. Otho Hamilton, now made captain of one of the companies at Canso by the king, and having to go to duty there, was appointed and sworn a justice of the peace throughout the province.

(5.)

24 March, 1739–40. Major Mascarene writes to M. Bergereau at Chignecto, sending him a proclamation to publish, and asking for his accounts. He sends this by Mr. Winniett, and major Mascarene says he has a sincere esteem for that gentleman and his family, and requests M. Bergereau to shew him every attention. He expects two of the deputies will come as soon as possible, to give him a true account of the condition and behaviour of the inhabitants of Chignecto. 25 March, he writes in a similar way to M. Mangeant and to Bellehumeur, (Alexander Bourg.) He also wishes copies of the proclamation sent to Pizaquit and Cobequit. Mascarene's proclamation, stating that the government devolves on him, and notifying that all regulations made for administration of justice, and justices and officers appointed for that end, should continue till further order. &c., issued in English and also in French.

(6.)

From Mascarene's letter to the Board of Trade, 1740.

"There being only two or three English families besides the garrison, prevented "the formation of a civil government like that in the other colonies, and the coun- "cillors had most to be taken from the military officers of the garrison or regi- "ment. The council meets upon call in a civil or judiciary capacity. What "relates to the judicial part is referred to quarterly sessions, appointed three or "four years ago, in which all matters of *meum* and *tuum* amongst the French "inhabitants, who come from all the settlements of the province, are stated and "decided. In other affairs, the council meets when anything of moment requires "it, and have a messenger under the name of constable to summon any person "required to appear."

He describes the duties of the deputies. The settlements being divided into districts, one deputy is chosen for each; also the receiver and notary, and the messenger called a constable, attached to each. Justices of the peace are appointed at Canso, to settle their differences. The English resort there in the fishing season, but in winter but three or four families of civilians remain there.

(7.)

Mr. John Hamilton was sworn in assistant secretary, 23 April, 1740.

(8.)

Two pacquets from the Secretary of State's office, received at Annapolis by the government by way of Virginia, cost in postage £11 16s. 3d. New England currency. At 525 to the 100 Sterling, this was about £2 5s. Sterling. There was no fund or allowance for stationary, postages, messengers or expenses, nor any pay to councillors for attendance. The seigneurial rents (Chignecto excepted) are not above £12 or £15 sterling in the whole.

(9.)

A royal commission, dated 4 Sept'r., 1740, (14 Geo. 2) to mark out and settle the boundaries between the province of Massachusetts Bay and the colony of

Rhode Island, was issued, appointing Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy, and James De Lancey, esquires, of the province of New York; John Hamilton, John Wells, John Reading, Cornelius Vanhorn, and William Provost, esquires, of the province of New Jersey; and William Skene, William Shirreff, Henry Cope, Erasmus James Philipps, and Otho Hamilton, esquires, of the province of Nova Scotia, (or any five or more of them), commissioners to settle the boundaries. To go to Providence, Rhode island, and meet there first tuesday of April, 1741, with power to adjourn. Each province (contesting) to bear half the expenses. (See the commission and a letter from Whitehall to the commissioners, in 4th vol. Rhode island Colonial Records, pp. 586–590.) This letter is addressed to John Wanton, esq. governor of Rhode island. Dated Aug't. 1, 1740, and signed Monson. M. Bladen,—Croft. Jas. Brudenell.

(10.)

From letter of president Mascarene to the duke of Newcastle, 15th *Nov'r.*, 1740.

"I entered a captain in this place at its surrendering to the English govern- "
" ment, and had the honor to take possession of it in mounting the first guard, "
" and was brevetted major by Mr. Nicholson, the commander-in-chief of that "
" expedition. I was put down the third on the list of Councillors when Gover- "
" nor Philipps called a Council to manage the affairs of this province, and have "
" served in the military, being now Major to Major General Philipps Regt., "
" and in the civil capacity ever since, having been employed in several transac- "
" tions with the neighbouring Governments, especially as a Commissioner in "
" behalf of this Government to settle the peace with the Indians."

" I gave a description of the Province, which was transmitted by Governor "
" Philipps to the Secretary of State and Plantation offices, and by me to the "
" Board of Ordnance, having then the honor to be employed as Engineer by "
" that Board. The mentioning these services is to endeavor to obtain his "
" Majesty's favor and your Grace's recommendation. My long absence from "
" Great Britain, where for these thirty years I have been but the space of six "
" months, and that twenty years ago, having deprived me of any patron."

CHAPTER II.

1741. The first mention I have found, in the public documents of the province, of de Loutre, missionary, who afterwards played a conspicuous part in the political and military affairs of Nova Scotia, is contained in a very courteous letter to him from president Mascarene. This is dated Annapolis Royall, 6 January, 1740–1, signed by Mascarene, and countersigned by Mr. Shirreff. It commences thus: "Monsieur. I begin by" "wishing you a happy new year, which I do very willingly," "having, in the little conversation we had together, conceived" "an esteem for you, and relying on the promise you have" "made me of maintaining the peace and good order in your" "parts, and of keeping the people in that submission they" "owe to the government to which they have swore allegiance," "and under which they enjoy their possessions and the free" "exercise of their religion." He also tells him to pay over to Bourg the king's dues which remained in his hands at the departure of the sieur Mangeant, the former receiver.—It may be asserted without injustice, that de Loutre proved in the event the most persevering and implacable foe to the English that ever was in this country. Allowing for the extreme courtesy and kindness that distinguished Mr. Mascarene on all occasions, it is yet obvious that de Loutre, whose hostility to British rule was unequalled, must have assumed for the occasion the part of a pacific and humble missionary in his converse with the president, and thus prevented any suspicion attaching to him.—Mascarene wrote 7 Jan'y. to Alex'r. Bourg, (M. Bellehumeur), enclosing him his commission of receiver of

the king's dues and notary for Mines, and to Bergeau, the receiver at 'Chignigto.' Sends the latter a model for keeping his accounts. He also issued a circular to the deputies, persuading them to promote order and peace. He writes at this time to M. des Enclaves, missionary at Mines, and tells him "the block, which has been an occasion of stumbling to some" "of your profession, is the desire of governing the temporall" "by the spirituall." He then explains to him the system of governing by the deputies, and their duties. He then says: "If they cannot write, (which by-the-by shews the ignorance" "in which they have been kept, and is not much to the" "praise of the missionaries who have resided amongst them,)" "they are to make use of the hands of those who know that" "art, but the act must be their own, and carry their signa-" "ture or mark." It seems hardly fair to expect that the missionaries should have executed the office of schoolmasters; but Mascarene, though refined and honorable, sometimes is a little astute and sharp in his reasoning. He also says: "The" "work to the bridge, which has been newly repaired for the" "common good, ought to have been sett on foot by the depu-" "ty's authority, acting under that of this Government. Your" "exhortations may be of use to maintain the people in their" "duty. Your hand may assist them in writing their reports," "but the act must come from them, and carry their mark."

The winter of 1740–1741, was 'very severe' in Nova Scotia. President Mascarene, writing to the duke of Newcastle, secretary of state, on 14 March, 1740–1, tells him: "We have no" "news from Europe later than July last, nor from our neigh-" "boring government of New England since last October, so" "that we are entirely ignorant of any transactions in relation" "to war or peace." The great changes that have occurred since that time will be palpable, when we observe that at Halifax, on 13 March, 1861, we had London papers of 24 February, news of 26th, and Washington news of 7 March. In 1812, on the 18 June, the American Congress declared war against England, and the news did not reach Halifax until the 29 June.

At this time the inhabitants of Chignecto petitioned to

have M. St. Poncy as their priest, there being an old priest called 'Disclash' (or des Classes) there, quite superannuated; but the council declined to appoint St. Poncy, on account "of his irregular return to that place." In April, 1741, Mascarene requested Bergeau, the receiver of king's dues at Chignecto, to remit what monies he had got in grain and peas, as many families at Annapolis were suffering famine from scarcity of provisions; and he writes to Bourg, (Bellehumeur), at Mines, to the same effect, and tells him that governor Philipps has acquainted him that he will visit Nova Scotia in the spring.

The Lords of Trade had ordered that five members of the council of Nova should act in the commission appointed to settle the boundaries between Massachusetts and Rhode island. Henry Cope was one named, but was in the expedition to the West Indies, and Otho Hamilton was at Canso. Messrs. Skene, Shirreff, and Erasmus J. Philipps, who made up the five designated, left Annapolis for New England on this mission in April, 1741.

A scarcity of provisions existed in the West Indies at this time, and also in Europe, and generally the export of food to foreign countries was forbidden in the British dominions. Proclamations were issued to enforce this regulation.

Governor Philipps made a statement to the English government as to his position of governor of Nova Scotia. He was appointed colonel of the 12th regiment of Foot on the 16 March, 1712, and of the 40th regiment 25 August, 1717. (The 40th regiment devolved on Edw'd. Cornwallis, as colonel, 13 March, 1752, and on Peregrine Thomas Hopson 4 March, 1754.) Philipps, in his memorial, says that in 1718 he had one of the oldest regiments in the king's service, which he had bought for 7000 guineas, and that he did, at the request of his late majesty's (George the 1st) ministry, and not from any desire of his own, exchange that regiment for the government of Nova Scotia, to which was annexed a salary of £1000 per annum, and also for a new regiment to be formed out of the several independent companies there, with his majesty's promise, that as the last would be the youngest regiment in the

king's service, he should, in case of a reduction, have the first old regiment that became vacant. He says: "There was no" "intention at that time of appointing a lieutenant governor," "nor any provision made for such; but lieutenant colonel" "Armstrong growing uneasy that a captain in the regiment," "by being lieutenant governor of the garrison of Anna-" "polis Royal, should be entitled to the command of the" "troops, and also of him, the said lieutenant colonel,—applied" "to governor Philipps for his interest to be made lieutenant" "governor of the Province, without expecting or claiming" "any allowance for the same, who accordingly, by letter to" "his grace the duke of Newcastle, recommended Mr. Arm-" "strong as a proper person to be lieutenant governor, and" "he was soon after appointed such, but without any salary" "or allowance whatever."

"The agent of governor Philipps' regiment" (colonel Gardner), "having misapplied the regiment's money, died insol-" "vent, and the governor being thereupon called home by" "his majesty's sign manual, in the year 1731, in order to" "adjust the officers' accounts, his majesty was pleased to" "entrust the command of the province with lieut. colonel" "Armstrong during the governor's absence, and was pleased," "by warrant, to allow the said lieut. colonel Armstrong half" "the governor's pay for so long as he should continue in that" "command."

"The governor immediately repairing to England upon" "his majesty's command, hath settled the agent's accounts," "paid the balance out of his own pocket, amounting in the" "whole, with his own loss, to £10,000. Lieutenant colonel" "Armstrong being since dead, it is humbly hoped that, as" "there was no lieutenant governor of the province until" "Mr. Armstrong was appointed such, for the above reasons" "which are now at an end, the lieutenant governor of the" "garrison being also lieutenant colonel of the regiment, there" "will be no lieutenant governor hereafter appointed."

Mascarene, though a protestant himself, son of a Huguenot father, yet preserved his love for the French language, and we find him always disposed to kindly intercourse with the

people of that origin. Two letters of his in French, addressed to mademoiselle Françoise Belleisle, have been preserved, one dated 30 June, 1741, and the other 13 October, 1744. The former is as follows:—

[Translated.]

Mademoiselle. I am very glad that the letter I have received from you gives occasion for an intercourse between us, which ought not to offend your confessor, being only intellectual, and liable to be judged of in council. Four of our councillors have been obliged to go to New England, and the rest are too few in number to decide differences of importance. Your aunt has gone to Louisbourg for the purpose of seeking her proofs. Thus it is your interest to take your precautions. I think you too reasonable to expect any favor from me, in what concerns my conduct as a judge; but in every other thing that is not contrary to my duty, I shall have real pleasure in testifying to you the esteem I have for you. Let me have your news when there is an opportunity, freely and without fear, and be persuaded that I am, mademoiselle,

Your very humble and very obedient servant.

Annapolis Royal,
30th June, 1741.

Françoise Belleisle.

At the same date, Mascarene writes to M. de Quesnel, governor of cape Breton, (who died in September, 1744), to Bourville, lieutenant governor, and to M. Bigot, intendant, (afterwards intendant of Canada), in reply to letters apparently of compliment only. He tells Bourg "the council have" "made it a rule to follow the antient laws and customs esta-" "blished with the inhabitants in judging of their suits." He writes to Bergeau. (This name is sometimes spelt Bergereau.) "The inhabitants of Chignecto appear in all" "things of a refractory spirit; their paying the king's dues" "unwillingly and in bad species, doth not show well in their" "favour, and their persisting in their disobedience to the" "orders in regard to Mr. St. Poncy, will draw on them the"

" resentment of this government," &c. He also complains of their settling on ungranted land, and trading by way of bay Verte, against the proclamation. He says to M. des Enclaves, " My only aim is, in the station I am in, to keep the mission- " " aries who reside in this government within the bounds of " " their duty, and to hinder them from establishing *imperium* " " *in imperio*, which the laws of Great Britain will not suffer.— " " As for religion, I am of that temper as not to wish ill to " " any person whose persuasion differs with mine, provided " " that persuasion is not contrary to the rules of society and " " government." The councillors who had gone as boundary commissioners to New England, had returned before the 3th October. Mascarene wrote to the lords of Trade 23 November. Rumors of war with France, he says, had often alarmed them this summer, owing to their defenceless condition. Except in sending cattle and provisions to Louisbourg contrary to proclamation, the French Acadians had behaved as well as could be expected, " considering the bigotry to their " " religion, and other circumstances." They continue to settle on ungranted land. The missionaries still give trouble. They are controlled by their bishop, (of Quebec), who has a vicar general in the province, the latter lately returned from France. Mascarene refers to his thirty years' service in Nova Scotia, where he has acted as president two years, and received no advantages or perquisites whatever.

APPENDIX TO CHAPTER II.

(1.)

18 August, 1741. The will of William Winniett, of Annapolis Royal, merchant, was proved before president Mascarene. Of the subscribing witnesses, Benjamin Nugent was dead; messrs. Skene and Shirreff were at Boston, New England. John Dyson and John Hamilton proved the will to be in Shirreff's writing, and that the signatures were all genuine. By this will he devised and gave all his estate, real and personal, " to my beloved wife Magdaline Winniett, " " and to my well-beloved children, my lawful heirs upon her body, to be equally "

"divided amongst them," and made his wife sole executrix. It bears date 16 Feb'y., 1726-7.

24 August, 1741. President Mascarene wrote to M. Bourg, at Mines, recommending him to get the debtors of the late Mr. Winniett in his district to pay the widow.

(2.)

4 Nov'r., 1741. Mascarene gives a certificate of good conduct to M. Nicholas Vauquelin, priest and B. D. of the Roman Church, who had officiated for two years at Annapolis river. (He is elsewhere called Vauxlin.)

(3.)

The seigniorial rents and fines of alienation collected between March, 1739-40, and 31 December, 1741, one year and nine months, amounted to 141 livres 19 sous, which reduced to sterling at 450 discount, made £38 15s. 8d. sterling. The price of a bushel of wheat was accounted at 2 1-2 livres, equal then to 16 pence sterling.

CHAPTER III.

1742. The first affair of this year concerning the province was an application of Mr. Adams to the board of trade. His letter is dated 'Boston, New England, March 12, 1741–2.' It states that Mr. Adams was president of the council and province of Nova Scotia from the 6 December, 1739, to the 22 March following. He staid at Annapolis until the latter end of July, 1740, when, with the consent of the council, he retired to Boston. Has been eighteen months in expectation of his majesty's decision. Sends now a petition to the king for relief, as he wants "even the very necessaries of life." He says: "I would have returned to Annapolis before now, but" "there was no chaplain in the garrison to administer God's" "word and sacraments to the people; but the officers and" "soldiers in garrison have profaned the holy sacraments of" "baptism and ministerial function, by presuming to baptize" "their own children. Why his majesty's chaplain does not" "come to his duty, I know not, but am persuaded it is a dis-" "service and dishonor to our religion and nation; and, as I" "have heard, some have got their children baptized by the" "Popish priests, for there has been no chaplain here for" "these four years. I was in hopes to have received from his" "Excellency Governor Philipps £144 4s. 0d. sterling, for the" "time I presided over the council in his absence, for which" "sum I drew a bill of exchange on him in favor of captain" "Nathaniel Donnell, who has supplied me and my family" "with most of the necessaries and comforts of life for twelve" "years past, without almost any hopes of ever being paid in"

"this life, yet his Excellency protested this bill, as will be" "seen at large by the enclosed papers, notwithstanding his" "many promises to me when at Annapolis."—He requests "faults or blunders" in his writings to be excused, he "being forced to make use of a youth unexperienced." (This refers to his blindness, mentioned in his former statement.) It is to be feared that Mr. Adams obtained no redress for the grievances of which he complained.

In the spring of this year, one Trefry, the master of a sloop engaged in trading at Grand Pré, Mines, was surprized, robbed and ill-used by a number of Indians. They cut the cables of the sloop. The inhabitants of Mines, and two of the chief captains of the Indians, named Jaques Momquaret and Thomas Wonils, (or Wouits), [*the ms. is obscure*], missing Trefry's sloop, but finding her anchors and cables, were much surprized, and suspecting that he had been taken by some Indians, thereupon agreed to send out some canoes in search of them; but not finding them, Mr. Bourg fitted out a small vessel, and being accompanied by Mr. Mangeant, the two deputies of the Grand Pré, Bujean and Bourg, together with about sixteen more men, had the good fortune to meet with the robbers, and took from them part of Trefry's goods. Bourg and Mangeant, and the two Indian captains, wrote to the President to inform him of what they had done. Trefry arrived at Annapolis, and being destitute of anchors, requested the loan of those that belonged to the brigantine Baltimore, which had been brought from Tibogue to Annapolis, and had lain under the fort since 9 May, 1736, for want of a claimant. The president and council met to consider this business on the 9 April, 1742, at 10 A. M. Messrs. Skene, Shirrèff, E. J. Philipps, John Handfield and Edward Amhurst, were present. Trefry was referred, as to anchors, to E. J. Philipps, who held the commission of king's advocate in Court of (Vice) Admiralty. The president was desired to express the satisfaction felt at the good conduct of the inhabitants and the Indian captains. A sworn statement of the robbery and computation of loss, and a list of the articles recovered, were exhibited. Trefry resolved to return to Mines, and it was agreed that the president should write to

the deputies, the Indian missionary, and the two Indian captains, to aid in getting reparation for Trefry, and to send a copy of the articles of treaty with the Indians to Mr. Bourg, to be kept in his office for their instruction. 13 April, Mascarene wrote letters of thanks to Alex. Bourg, to Mangeant, and to the two Indian captains. He also wrote to M. de Loutre, missionary of the savages—tells him of the robbery, and that most of the Indians disown the act; hopes for reparation, and requests his influence to that end, and mentions his having sent copies of the articles of peace to Bellehumeur. By the treaty the tribe was made responsible for any injuries done the English by any of its members.—Shortly after this, a jarring of authority occurred between the president, Mascarene, and lieutenant colonel Cosby, the lieutenant governor of the fort and garrison of Annapolis. John and Joseph Terriot, from Mines, had called to see Mascarene as to some proceedings in the council concerning their civil affairs, about noon. He had no sooner dismissed them, than he observed that the serjeant of the guard took them into custody and carried them to the guard. This transaction he reported to the council 28 April, and on the 29th the two men, having been released from imprisonment, were called in before the council, and being questioned by the president whether they knew the reason why they were confined, John Terriot answered—that being asked why, in coming into the garrison, he went to the president before he had waited upon the lieutenant governor of the fort,—he told the serjeant who asked him the question, that he was informed at Mines that he was to wait upon the president first, and knows no other reason than that for their confinement. The president gave them assurances of protection, and so this matter ended.——Mascarene, in writing soon after to the deputies of Chignecto, reminds them of the treaty of Utrecht and their oaths, and that those born since the conquest are natural subjects of the English crown. He writes, 16 June, to M. de la Goudalie, missionary priest at Mines: "I received your letter by grand Pierrot, (big Peter), and am" "glad to hear that you got safe to Mines. Mons'r. des" "Enclaves is also arriv'd here; and when mons'r. Laborett"

"is got to Chiconecto, and mons'r. St. Poncy has quitted the" "province, which I desire may be as soon as possible, the" "missionarys will be settled according to the regulation pas-" "sed in council." He goes on to point out that on a vacancy in a mission taking place, the parishioners must first ask and obtain leave of the government to send for a priest to fill the cure. When the new priest arrives he must repair to Annapolis, and be there approved by the governor and council before he officiates, and that similar leave must be had for the removal of a priest from one parish to another. "I desire" "you will enquire whether the inhabitants of Mines have" "purchased of the Indians any of the goods plunder'd from" "the New Engd. vessell belonging to Trefry, and particularly" "of eight or ten fathoms of cable which were cutt off from" "the anchors left ashore when the vessell was carried off," "which cable must certainly have been cutt by some of the" "inhabitants near the place where the anchors were left." He again writes to de Loutre, 21 June, telling him Trefry protested to him "that he had not given one drop of rum to" "any Indian 'till they had violently forc'd it from him, after" "they had taken possession of his vessel. Tis impossible to" "us here to prevent the importa. of that pernicious liquor," "but I never fail recommending to all the traders not to dis-" "pose of any to the Indians." On the 28 June, he writes to the lords of Trade, and represents the inhabitants to be well-disposed and obedient, notwithstanding many rumors of war with France being on the point of occurring. He shews their intrusion in settling on unappropriated lands to arise from the necessities of an increasing population. "The Romish" "priests, missionaries, are brought to a better behaviour." He has applied to the governor who is in England for allowances as president. 28 September, he tells the lords of Trade that the French inhabitants behave well, except that they still send provisions clandestinely to cape Breton. In October, Mascarene petitioned the king to direct that part of the governor's salary should be assigned him for his administering the government in the absence of Mr. Philipps.

Mr. Cosby, the lieut. colonel of Philipps' regiment, and lieut.

governor of the fort and garrison of Annapolis, died on the 27th December, 1742, on which Mascarene applied through the secretary of State to succeed him in both capacities. Mascarene was a lieutenant in 1708—was a captain under Nicholson in 1710, at the reduction of Port Royal, and then brevetted major—commanded an independant company at Placentia, which was incorporated in Philipps' regiment, and in 1720 was third on the list of the council of Nova Scotia, which province he now commanded as senior counsellor. He urged his familiar knowledge of the French language and of the French Acadians, and his long residence and services in this quarter, he being the only officer remaining here of those who were at the taking of the place. (In 1744 he was appointed lieut. governor of the fort, major general in 1758, and died in 1760.)

In the latter part of this year two priests came into the province from Quebec, messrs. Miniac and Girard. The bishop of Quebec wrote a letter addressed to president Mascarene, in which he mentions that M. de la Goudalie was unable to continue to do the duty of Grand Vicar in Acadie without assistance, and that he had accordingly sent *M. l'abbé* Miniac, a man of birth, capacity and experience, who had long been a Grand Vicar and Archdeacon, and solicited the president's favor for him. This letter bore date 16 Sept'r., 1742. The journey proved tedious and fatiguing. The young priest Girard was obliged to stop in Cobequid with de Loutre, and *abbé* Miniac, at Grand Pré, Mines. From these places they wrote 27 Nov'r. and 2 Dec'r., n. s., to the president. Mascarene sent the bishop a copy of the regulations in force concerning missionaries, and wrote to Miniac, Girard, and de la Goudalie. The council ordered that the two priests coming here contrary to regulations may remain till spring, but are not to exercise any functions. Mascarene also sent copies of the correspondence to the duke of Newcastle, and tells him that "the yielding to that bishop the power of" "throwing his missionaries here at pleasure will be a bar" "ever to bring these French inhabitants to a due obedience".

"to H. M. Government." He also comments on his claim of appointing a Grand Vicar in Acadie as a part of his diocese.

1743. The abbé Miniac at length got to Annapolis, and satisfied the governor and council as to the objects he and Girard had in view in coming to Nova Scotia. It was then resolved that Miniac should remain at *rivière des Canards*, in Mines, and Girard at *Cobequid;* but a request for a second missionary at *Pessaquid* was refused, one being deemed sufficient.——The seigniorial rents in some places at this time were paid in *pease.*——In October there were flying reports of turbulent behaviour of the Indians, and their intention to cause disturbance. To counteract this possible mischief, a proclamation was issued by the president, who seemed to apprehend that the inhabitants were disposed to aid the Indians, and in particular would buy from them any plunder they had taken from the English. In November he wrote to M. de la Goudalie, expressing himself satisfied with all the missionaries except M. Laboret, of whom he entertained a bad opinion. He then adds: "I called the small books you" "sent me '*Mercurys*,' but find they are called '*Historick*" "*Nouvells*,' *for the present age*, which I would be glad to have," "as I already desired the favour of you. I shall satisfy Mr." "Morell the cost he is at through your hands, or by any" "other means you think proper; and if he will be so good as" "to joyn the *Mercury Gallaunt* to them, I shall be under a" "great obligation to him and you for your goodness in pro-" "curing them.——I send you the list of the prisoners and" "wounded in the last engagement in Germany," (probably the battle of Dettingen, in June, 1743, in which the English defeated the French), "it being some satisfaction to have an" "account of the fate of our friends and relations who suffer" "in action. We have a particular account of this action, but" "as they are all in English they would be of no use to you." "I desire you would make my compliments to M. Miniac," &c. It is proper to observe that many of the letters of Mascarene that we have had access to are to be found only in the register book, (translated or not), as entered by Mr. Shirreff, to whom may be fairly attributed several peculiarities in the spelling of

words, and especially of proper names, both in the recorded public correspondence and in the minutes entered of the proceedings in council during many years. Mr. Shirreff appears to have possessed much ability and industry, and to have been well suited for the place he filled. In some instances where we have the original manuscripts of Mascarene, the accuracy and clearness of the writing and grammatical propriety prove that he was a highly intelligent person, and familiar with both the French and English languages, and in every respect refined and polished. This impression is confirmed, as far as physiognomy can be relied on, by the portrait of this gentleman, which has been preserved in the families of Hutchinson and Snelling, in this province, who were connected with or descended from him.

In the latter part of this year the lords of Trade had written to recommend this and the other British American colonies to be on their guard against any attempt that might ensue from a rupture with France. Mascarene, 1 December, 1743, writes to the duke of Newcastle, that the French (inhabitants) cannot be depended on for assistance in that event. "It is" "as much as we can expect if we can keep them from joining" "with the enemy, or being stirred up by them to rebell." "This province is in a worse condition for defence than the" "other American plantations, who have inhabitants to defend" "them; whilst far from having any dependance on ours, we" "are obliged to guard against them.———Canso, where" "four companies are quartered, is near to cape Breton. It" "has no other defence than a blockhouse, &c., built of timber" "by the contributions of the fishermen who resort there and" "a few inhabitants settled in that place, for the repairs of" "which the officers have often been obliged to contribute as" "well as to those of the huts in which the soldiers are quar-" "tered.—At Annapolis Royal, the fort being built of earth" "of a sandy nature, is apt to tumble down in heavy rains or" "in thaws after frosty weather. To prevent this, a revest-" "ment of timbers has been made use of, which, soon decay-" "ing, remedies the evil but for a short space of time, so that" "for these many years past there has been only a continual"

"patching. The board of ordnance has sent engineers and"
"artificers, in order to build the Fort with brick and stone,"
"but little could be done for these two summers past than"
"providing part of the materials and making conveniences"
"for landing them, so that when I received the above men-"
"tioned directions there were several breaches, of easy access"
"to an enemy, which I immediately directed to be repaired,"
"in which the season has favored us beyond expectation.—"
"After the taking of the place, it was judged that, consider-"
"ing the nature of the inhabitants about us and the compass"
"of the fort, not less than five hundred men were requisite"
"to defend it, which number was accordingly left in garrison."
"As the plan agreed to by the board of ordnance for rebuild-"
"ing this Fort is to contain the same space of ground, and"
"as the five companies here consist by establishment of no"
"more than thirty-one private men" (each) "when comple-"
"ted: the number will fall much short of what is necessary"
"for the defence of the works in time of war.—The town,"
"which consists of two streets, the one extending along the"
"river side, and the other along the neck of land, the extrem-"
"ities whereof are at a quarter of a mile distance from the"
"Fort, has no defence against a surprize from the Indians."
"The materials for the new building and the artificers are"
"lodged there, as well as several families belonging to the"
"garrison, who, for want of conveniency in the Fort, are"
"obliged to quarter there." He had written two years before to the governor of Massachusetts for assistance in case of a rupture with France. He does not rely much on this aid, but it operates to awe the inhabitants. He wrote, same date, to the board of trade, whose reply is dated 2 August, 1744, *eight* months after. In fact in these days the officials in England seem to have slept over their American interests, and to have been partially wakened up about once a year to remember the names of their colonial possessions—to look or rather yawn over the governor's despatches, and sketch some answer, deciding nothing and doing next to nothing.

On the 13 December, Mr. Shirreff, by the president's order, wrote to Mr. Bourg respecting the laying out lines between

the Grangers and the Heberts, near the rivers Canards and Habitants. Some niceties of their customs are adverted to. He speaks of "what was customary in case the seigneur" "granted to an inhabitant a piece of meadow and other land," "with a *profondeur*" (depth) "into the woods, if that *profon-*" "*deur* of a league less or more, with an '*air de vent*' (point" "of the compass), agreeable to the scituation of the said" "meadow, and the other granted land into the woods, or" "other upland, could not be found without encroachments or" "injury done to the adjacent neighbours." Shirreff speaks of the *resoul* of the river Canard as a boundary, and he asks Bourg if *resoul* means the neap, spring or middle tides.

1744. A Canadian, named Joseph Vanier, was arrested at Annapolis, and detained, upon complaints against him from Mines. Mascarene wrote to M. Bourg and the Deputies on this affair, 24 March, 1744. He says: "The people from" "your place bring us so many affairs to settle, and they are" "in such a hurry to get home again, that we have no time to" "write suitable answers.—Our laws in dealing with capital" "cases require *viva voce* witnesses under oath, whose evi-" "dence shall be sufficient for convicting the accused before" "sentence can be passed. The English abhor torture, and" "it is expressly forbidden by our laws. Thus it is only upon" "such legal testimony that judgment can be given. For" "this reason the letter and declaration of M. Cheveraux are" "not sufficient to convict a criminal guilty of a capital crime." "As regards the money he borrowed, and which he owes, I" "think they have not all been disclosed; and there may be" "persons who have advanced him sums of money which they" "feel ashamed to declare, as they may have done so with" "views that would not appear legitimate. It has meanwhile" "been resolved on to send the man out of the province, and" "for this purpose it is necessary, if no other way can be" "found, that you should assist in the execution of it, to rid" "us of a person of whom you complain so much." He proceeds to say that they should pay for the subsistance of the prisoner, which only amounts to four francs a week, as there is no fund for the purpose. "Endeavor henceforth not to"

"adcuse any person to the government for crimes or malver-"
"sations, without authentic proofs to support the charges,"
"such as may be produced in a regular legal course. The"
"length of the way, and other inconveniences, ought never"
"hinder persons from coming to bear evidence against those"
"who, by their crimes or their disorderly conduct, render"
"themselves obnoxious to the public good; for by our law, a"
"person accused unjustly and without available evidence,"
"may demand reparation and damages for the injury done"
"to his character." This letter was written in French. On 17 August, 1744, a notification was published by Mascarene, respecting Vanier, to the effect that he had been arrested on complaint of the people of Mines, and was not able to give security for his good behaviour,—that an order in council had been made that he should be kept in prison until he could be sent out of the province, which was to be done within a few days,—but that Vanier had made his escape from the prison; and he orders the deputies and inhabitants to seize and bring him back, and forbids any one assisting him, &c.

CHAPTER IV.

After a long peace, from the treaty of Utrecht of 1713, a war now sprung up between France and England. The French declared war against England March 15, 1744, n. s., and Great Britain declared war against France March 29, 1744, o. s., being 9 April, n. s. The war was proclaimed at Boston June 2, o. s., but was known two months earlier at Louisbourg; and Duquesnel, who was then governor of cape Breton, resolved to avail himself of this circumstance. Accordingly, on the 13 May, M. du Vivier, with a few armed vessels, and about 900 men, regulars and militia, from Louisbourg, took Canso without any resistance, and carried the nominal four companies stationed there, being in all but about 70 or 80 soldiers, and the few inhabitants, as prisoners to Louisbourg,—granting them conditions that they should remain at the latter place for one year, and then be sent to Boston or to Annapolis. They were eventually sent to Boston. An English man-of-war tender was captured at Canso at the same time, and the place itself burnt.

Clermont, a Frenchman, of Louisbourg, who afterwards joined the Indians besieging Annapolis, informed Mascarene that the Indians on the Eastern coast had taken an English vessel and put the crew to death, with the exception of a young Englishman, whom they kept as a prisoner. The Indians of the river St. John, in consequence of this, sent four of their number to the president to profess their intention of keeping the peace, whatever war might arise. On the 5 May, Mascarene wrote

to M. Bourg and the deputies of Mines, calling on them to aid in punishing the guilty. He also addressed a long letter to Claude Ouachenoite, chief, Etienne Chegouonne, Jacques Nouscottes, Pierre Lagamiginque, and all the other chiefs and savages of the Micmacs. He says he calls them friends, since they disavow the murder of the master and crew of the vessel. He calls their attention to the treaty by which the tribes were bound to make good any mischief done by their members, and to give up offenders to be punished. Mascarene also wrote 5 May to monsieur de Loutre. He tells him he had reiterated his orders by a proclamation, forbidding merchants, inhabitants and others from giving strong liquors to the Indians on any pretext soever. That it appeared by the abominable conduct of some of them in the past winter, that the blame is not always to be thrown on the influence of drink, as it appears that in this instance strong liquor had nothing to do with it, and expresses the hope "that far from opposing any obstacle" "to the course of justice, he will exhort them to fulfil their" "engagements, and will assist the well-disposed Indians and" "the sieur Antoine Gilbert, or Clermont, to seize the guilty" "and to bring them to Annapolis." He says: "The esteem" "I have conceived for you leaves me no room to doubt that" "you will be disposed to help in maintaining peace, law and" "justice, and thereby to prevent the calamities that may other-" "wise fall upon the inhabitants of this country." He adds that—"there is a young English boy that these bandits did" "not kill, and whom they have with them," and prays him to get this boy from them.

In June, a few small vessels from Louisbourg, commanded by Delabrotz, (afterwards taken by the Massachusetts province snow privateer, capt. Tyng), annoyed St. Peters and some other small harbors of Newfoundland, west of Placentia, and threatened Placentia fort. On the 15 June a proclamation was published in both languages, French and English, stating the declaration of war, and forbidding all intercourse with the enemy. On the 18 June, Mascarene wrote to Bourg and the deputies of Mines. He informs them he had received the declaration of war against France by the

way of New England, and had caused it to be published at Annapolis as the centre of government, with the usual ceremonies. He explains that this does not mean a war against the inhabitants of the province or the Indians, who will behave peaceably. He says that H. E., the governor of New England, has promised to send him such forces as he shall ask for. On the 18 May, a sudden panic seized on the whole lower town of Annapolis, where the families of several officers and soldiers were quartered, everybody removing their goods to the fort. Upon enquiry, Mascarene found that a rumor had spread, that one Morpin, a famous commander of a privateer in the last war, was up the Annapolis river, with five hundred French and Indians. Although this report could not be traced to any author, and its falsehood became evident the next day, yet the effect it produced on most persons minds could not be dispelled. Soon after this the Massachusetts Galley arrived with the chief engineer. Several officers resolved to send their families to New England, and the Galley, on her return, took as many away as she could accommodate,—and a little while after two vessels more were freighted with part of those remaining ; and yet there remained above seventy women and children quartered within the compass of the fort.

The ramparts and parapets were in a ruinous condition. The few materials on hand proper to repair them had been employed in patching the most dangerous places, on the first notice the president received in the circular letter of the lords of the Regency. The orders that had been given to rebuild the fort with masonry caused the old works to be neglected for several years. The chief engineer, therefore, until he could procure proper materials to repair the old work, went on with the project of the new building,—for which stone, bricks and lime had been in part procured ; but the news of the taking of Canso, and the orders for proclaiming war against France, induced the president to urge the engineer to put by the project of rebuilding, and to go in good earnest to the repairs necessary for defence. The French inhabitants shewed themselves ready, not only to get the timber necessary for that kind of work, but to be employed in the repairs, and some

partial progress had been made, when, on the 1st July, the first party of Indians, consisting of about three hundred, came to interrupt the proceedings of the garrison. This force was said to have been led on by M. de Loutre, the missionary to the Indians. They were no sooner known to be at the upper end of the river, than all the French inhabitants left Annapolis and withdrew to their habitations. The Indians were Micmacs and Malecites, united. Mascarene had not then a hundred men of the five companies, officers included, fit for duty. The artificers brought from Old and New England, though most especially the first, proved ready on occasion, and behaved with courage and resolution: yet could not be expected to be under command in the same manner as regular troops—and some of those from New England declaring that they came to work and not to fight, caused a backwardness and dispiritedness amongst their fellows. In the first onset of the Indians, two men of the garrison were killed, who, contrary to Mascarene's orders, had gone out in some of the gardens. Some officers and a number of men, who, with too little precaution, went out early in the morning to pull down a house in the governor's grounds according to the orders he had given the night before, had been nearly cut off. They all got in, however, without hurt.

On the 3d July, Mascarene wrote a letter in French to the besiegers, in the following terms:

Annapolis Royal, 3 July, 1744.

Gentlemen. The first shot you heard fired from the Fort was according to our custom when we think we have enemies. Afterwards your people killed two of our soldiers who were in the gardens without arms. I am resolved to defend this Fort until the last drop of my blood against all the enemies of the king of Great Britain, my master, whereupon you can take your course. So I sign my name

P. MASCARENE.

To the Indians who appear at the Cape.

The enemy, encouraged by success, came under cover of some stables and barns to the foot of the glacis, and kept a

continual fire of small arms, until dislodged by the cannon of the Fort. They then went towards the lower town, the extremity whereof is above a quarter of a mile from the Fort, and set fire to the houses, which soon gained near the Blockhouse situated in the middle of the street, but which, being surrounded with garden fences, was not without danger of having a share in the conflagration. The serjeant, who was with a small guard in that blockhouse, at sight of the fire about him, sent Mascarene word of it, and desired leave to withdraw. As from the Fort the garrison were sensible of his danger, and the governor had no immediate means to relieve him, he replied that he might withdraw; but upon the proposal of the engineer to place Mr. How on board the Ordnance Tender, with some of the artificers to strengthen that crew, and fall down opposite to the town and scour the street, he detached a party under the command of a captain, who, supported by the cannon of the Tender, and joined by Mr. How and the artificers, replaced the guard in the Blockhouse—put the Indians to flight—pulled up the garden fences, and set fire to some houses still remaining too near the Blockhouse, and thereby affording a cover to the enemy. Mascarene had, the evening before, caused to be pulled down a parcel of hovels, which, by the allowance of former governors, had been built in a hollow of the glacis reaching almost to the parapet of the cover way, a dangerous place, which long before he had wished to have filled up, it being thence the enemy in former time had annoyed the garrison. The officers and volunteers, amongst whom were the Fort Major and Mr. How, returning with the party from the lower town, proposed to governor Mascarene to level the barns and stables within half musket shot from the garrison, from which, in the morning, the enemy had kept up a continual fire, and where it was expected he would come again and find a constant shelter. This party was in high spirits. Mascarene would not baulk them, and there was no time to call the officers together for their opinion and consent. He only desired that they would spare a house captain Daniel had been at considerable expence with, situated beyond musket shot

of the Fort; but this did not avail much, as the enemy afterwards rifled it, and the cannon of the Fort, used to dislodge them, pierced and shattered it in many places. The besiegers, finding it not easy to approach the Fort, kept about a mile distance, and gave the garrison no great trouble, except in stealing some of their sheep and cattle. The arrival of the Massachusetts galley on the 5 July, with seventy auxiliaries, and a captain and ensign, made this party of Indians to leave Annapolis and go up the river, whence they proceeded to Manis, where they staid waiting for troops from Louisbourg. Upon the arrival of the Province Snow, privateer, in the beginning of July, from Boston, with the first of four companies of militia, raised by the government of Massachusetts bay to reinforce the garrison of Annapolis, they broke up and returned to Minas, and the women and children of Annapolis were removed to Boston for safety. Mascarene says that the same galley, soon after returning, brought him forty more men, with a portion of officers, to form with those come before three companies. These auxiliaries augmented the numbers of the English, but could not be of immediate service, as they came for the most part unprovided with arms. Those of the garrison had, on trial, been found, generally, defective, and were put in the hands of the smith for repair. To supply this want, he ordered out of the ordnance stores all that could be got fit for service. With these, and the arms of the soldiers as they could be repaired, he made a shift to arm his own men and the auxiliaries (militia), which was hardly effected, and they lodged in the Fort, in barracks hastily fitted up, when he was informed that a detachment of officers and men from Louisbourg, with a larger body of Indians than had come before, amounting in all to six or seven hundred men, were up the Annapolis river, within three leagues of the Fort. (Douglass says there were 60 regular troops from Louisbourg, and about 700 militia and Indians. *Summary, p.* 319.) Mascarene made the necessary disposition to receive them.

The French force from Louisbourg had landed at Chignecto, whence they journeyed by land, passing through Minas. Being

much fatigued, they rested two days up the river, after which they marched down and shewed themselves on the brow of the hill, a little more than a mile from the Fort, and then pitched their huts under cover of the eminence. This occurred probably near the end of August, (new style), as we find an order of Duvivier's, their commander, dated from the French camp at Grand Pré, 24 August, 1744. The next morning they marched down towards the Fort, under the cover of some hedges and fences, with colors flying. A shot from a gun, pointed at their colors, is said to have grazed between Duvivier, and a lieutenant, his brother. On this their advance was stopped, and they went back to their camp, beyond the hill. They chose then to make their attacks by night, when they would be less exposed to the English artillery. They accordingly came about the Fort, keeping up a continual fire at the parapet, and approaching under the cover of the hollow already mentioned to the edge of the parapet of the covered way, which was low, and had as yet no pallisades round it. This kind of attack kept the whole garrison in alarm all night. none being able to sleep when there were so many places of their ramparts of easy access; and as the whole was revested with fir timber, not very hard to be set on fire.

It was after several such attacks that M. Duvivier sent his brother with a flag of truce to deliver to the governor a letter, wherein he intimated that he expected a seventy gun ship, a sixty and a forty, all manned one third above their complement, and a transport to bring two hundred and fifty men more, of regular troops, with cannon, mortars, and other implements of war. That as he knew they (the garrison) could not resist that force, and must then surrender, they could expect no other terms than to be made prisoners of war,—but that out of the esteem and regard he had for them, if Mascarene would enter into articles in which he (Duvivier) offered all that could be desired, he would ensure they should stand; tho' nothing should be concluded until the fleet was in the basin, and the garrison were sure it was of the strength and provided with everything he mentioned; and that in the meantime, if English succors arrived, the whole should go for nothing; adding

that, as things were, he had even a sufficient strength with him to take the fort, having one hundred and fifty ladders ready made, with combustible matters, &c., to force us by assault: concluding with a desire that what should pass between him and governor Mascarene should go no further till concluded at the arrival of the French ships.

After Mascarene had read this letter by himself, he dismissed the officer who brought it, civilly, and told him he would send his answer the next morning before twelve o'clock. Having detained the officers of the garrison whom he had called together at the reception of the flag of truce, he communicated M. Duvivier's letter to them, and the next morning his answer to it, containing (as he says) in substance, that they were not reduced to such streights as to talk of a surrender, and that when the fleet he described should be in their Basin, they should consider what they were to do. The same officer returned to fetch the answer, which Mascarene gave to him in presence of the officers of the garrison, and dismissed him *à la Françoise*, with his compliments to Duvivier. The answer not suiting the French commander's views, he sent his brother again, desiring to see some officer of his acquaintance, proposing, in the meantime, a truce. The English were favorable to the last offer to give rest to their officers and men, who, for several nights past, had been continually on duty, in which Mascarene had taken his share, walking on the ramparts most part of the night. The officer whom Duvivier requested to see went accordingly to the French camp, and at his return, in presence of all the officers of the garrison, he told that mons. Duvivier appeared in his discourse to have no other design in what he proposed, than what would be allowed to be for the advantage of the garrison,—and that he said as nothing was to be concluded before they were thoroughly sensible of it, they ran no risk in accepting of his proposal,—and that in the meantime no hostilities should be committed on either side. The Governor found all his officers, except three or four, very ready to accept the proposal, the dread of being made prisoners of war having no small influence with most of them. Some things were spoken in regard to the condition of the

Fort—the temper of their men—the little support or even intelligence they had from home, with other similar remarks, which gave Mascarene much uneasiness; and as he saw he could not withstand the torrent without endangering the safety of the place, he gave way to it, reserving to himself not to sign any articles without extremity brought him to it. Three officers were then chosen out of the whole number present, who should hear mons. Duvivier on the purport of his letter, but they were not to mention anything but as preliminaries; and before Mascarene would sanction their going, he desired his officers to sign a representation of the state of the garrison, each giving the part that related to the branch under his charge, which was accordingly prepared, and this document was signed by all the officers of the garrison. The three officers then went to Duvivier, and brought back with them the draught of a capitulation from him. It contained everything the governor and garrison could expect or demand, with the condition that it was not to be made good until the French fleet should arrive, and also that it should become void in case of the previous coming of succors to the garrison. Mascarene was desired and even somewhat pressed to sign it, but he refused, and suggested that the commissioners might sign it, as preliminaries, if they thought proper. This being reported to Duvivier, did not satisfy him, and he told the three commissioners that he had gone further than he ought, and that the capitulation must be signed to him absolutely. That his intention was that the whole transaction should have been carried on between him and governor Mascarene only, and that therefore he would go on no further unless the English would come to his terms. On this he produced another draft of capitulation, which the three officers absolutely refused to take to Mascarene. They then parted, and agreed that the truce should continue no longer than the next day at twelve o'clock, unless Mascarene should send to him. This being reported to the governor, all the officers being present, he shewed them that Duvivier had no other intention than to entrap them by sowing division. The officers now concurred with, and supported the views of Mascarene, and unanimously

resolved that the truce should expire at the appointed time, viz., at noon next day. When this hour arrived, two guns were discharged from the Fort at some of the enemy who were drawing too near the garrison. At this time it was intimated to Mascarene that the men were uneasy, and threatened to seize their officers for parleying too long with the enemy. He was heartily glad to see this spirit revived, which some of his officers had told him was entirely depressed in the men. He immediately sent the Fort Major to acquaint them with what was past, and that all parley being broken off, hostilities were about to re-commence. On this the soldiers gave three cheerful huzzas, to the great satisfaction of the governor.

The French went on with their nightly attacks and daily skirmishes as usual, and became more and more contemptible to the garrison, as they found little more harm accruing to them than the disturbance in the night, which the governor endeavored to make up for by keeping as few men as he could for the day service, though the garrison went on with the works proper for their defence as opportunity offered. The garrison had been above three weeks in this situation when an armed brigantine and a sloop, bringing fifty Indians or rangers of woods, arrived from Boston; but as those auxiliaries who came before they were mostly without arms. Mascarene could not lodge them in the garrison, there being no barracks fitted up. He was obliged to borrow arms for them from amongst his men, there being none in store fit for service, with which he sent them to fetch some firewood which was ready cut in the Basin. (These men are called captain Goreham's Indian Rangers, in the History of British Empire in America, p. 184.) In the latter part of September, whilst the Rangers, supported by an armed brigantine which had convoyed the last reinforcement, were on this service, and a good many of the soldiers of the garrison were unarmed on that account, a wild Indian who had come with the Rangers, and who was left behind, straggled out too far, and was seized and carried off by the enemy. Mascarene sent a party out, in hopes to rescue him. This brought on a skirmish, in which the garrison lost one serjeant killed and had a private man

wounded, having reason, however, to believe that they had done some damage to the enemy. This occurred between the 20 and 25 September, o. s. Mascarene re-called the parties he had sent out. The next morning Duvivier decamped in very rainy weather, marching towards Mines. Traditions say that the French and Indians entrenched themselves for six weeks, living on venison, as they brought no supplies with them; that the French flag was shot away, and an Indian, who was making himself very conspicuous on a rock (still remaining), was killed by the fire from the Fort. The garrison was kept constantly on the alert, the women and children sleeping inside the Fort. In this last siege, the garrison lost in killed, a Mr. Allen, and also one serjeant—only. The brigantine returned to Boston, and the chief engineer went in her, his services being called for in New Hampshire.

As soon as the French and Indians had left the Annapolis river, the deputies of the inhabitants came before Mascarene in council, and represented the dread they had been kept under by Duvivier, the French commander, producing his written orders, threatening with death those who disobey. They assured him, however, that notwithstanding entreaties and threats, none of the inhabitants could be persuaded to take up arms and join the enemy. They were dismissed with some checks for their remissness in their past conduct, and exhortations as to the future. A few days after, deputies came from Mines, who testified their having withstood the same entreaties and menaces, and produced the same threatening orders concerning provisions and other assistance required from them, also a representation made by them to mons. Duvivier, on his offering to keep one hundred and fifty men, with officers, at that place, by which they dissuaded him from it, and obliged him to leave them and go to Chignecto. The missionaries also wrote to Mascarene, making their conduct on this occasion appear to have been far better than could have been expected of them. The deputies from Mines were no sooner despatched than Mascarene was acquainted early in the morning by one of the French inhabitants that he had been that night taken out of his bed by a party of French and

carried in the Basin on board a ship, which he supposed to be of forty or fifty guns, having in company a brigantine of about twenty guns, with officers and soldiers, which came in the evening before, and took two vessels laden with stores for the garrison from Boston, which entered the Basin the same tide after them. The governor called the officers together and acquainted them with this information, without telling them the way he had received it, nor of the capture of the English store ships; and he ordered every one to his charge, according to the disposition he had made for defence. The French commander of this armament, finding their land force gone, did not think he was strong enough to attack Annapolis, although a sloop, said to have three mortars, some cannon, and other warlike stores, came in the next day. After staying three days without doing anything else than taking wood and water, they all departed with their two prizes, and once more left the Fort free of enemies. Four days after the French ships left, the Massachusetts galley, brigantine and sloop arrived, convoying a schooner laden with provisions for the garrison. Captain Tyng commanded this force, which was inferior in strength to the French ships that had just left. After this the inhabitants of Chignecto sent their deputies, with excuses and statements, similar to those from Annapolis river and Mines. The French, meantime, had gone back to Louisbourg. Mascarene says: "Thus were the French, with their Clanns" "of Indians, obliged to leave us at last for this year, after" "making three several attempts, in which, tho' their mea-" "sures had been well concerted at first, yet were baffled at" "last; for we have heard since that the men-of-warr men-" "tioned by mons'r. Duvivier had everything ready to come" "to reduce us, butt that on some intelligence of an English" "squadron bound to these Northern parts, they dropped their" "enterprise, and sent the shipping above mentioned." "To" "the breaking the French measures; the timely succours" "received from the Governor of the Massachusetts," (Shirley), "and our French inhabitants refusing to take up arms against" "us, we owe our preservation." He also says: "If the inha-" "bitants had taken up arms, they might have brought three"

" or four thousand men against us." He says the auxiliaries came victualled only for three months, so that from the first of October " most have had provisions from our stores." " The " " company of Indians or wood Rangers come last from Bos- " " ton have prov'd of great service to this place. They fell " " soon after their arrival on a family of Indians, kill'd some " " and scattered the rest, and by their excursions they have " " kept off the Indian Ennemy, who in small partys rov'd " " continually about us, which hindered the Inhabitants from " " supplying of us with firewood, materials, and other neces- " " sarys we wanted. As our regular Troops are not us'd to " " that way of annoying the Ennemy, it would be a great " " advantage to this Place if such a company could be estab- " " lished here in time of war." He says the soldiers are very bare of clothing, " which has obliged me to allow the men, as the " " cold season came on, to wrap themselves up in one of their " " Blanketts as they stand sentry." Mascarene at this time was appointed lieutenant governor of the garrison, still commanding the province only as the president of H. M. council. (Mascarene states to the lords of Trade that it is necessary " to set Indians against Indians, for tho' our men outdo them " " in bravery, yet, being unacquainted with their sculking way " " of fighting and scorning to fight under cover, expose them- " " selves too much to the Enemy's shot.") During the winter that ensued, the men of the garrison remained without a supply of clothing, although the Massachusetts auxiliaries were provided for. " To make up for that deficiency, the captains " " had agreed to send for Duffills, with which were made " " seven or eight watch coats for each company, to serve the " " men for a covering whilst on duty, a thing absolutely neces- " " sary, considering our winters here and the ragged condition " " of our men." (Mascarene recommends captain Goreham, " who brought the Indian Rangers to his help from Boston, as well qualified for his post, and says he was an applicant along with Lemercier for a grant of isle Sable.)

18 Dec'r., 1744. Alexandre Bourg, (called Bellehumeur), notary and receiver for Mines, &c., was suspended for neglect of duty, and René LeBlanc, of Grand Pré, appointed in his

stead.—M. de la Galissonière, was made Governor of Canada in 1744.—The attack upon Annapolis caused the province of Massachusetts to use every exertion for defence. Five hundred men were drafted for the protection of their frontier. Their garrisons in that direction were reinforced: at George's fort, 40 men; Pemaquid, 24 men; Richmond, 25; Brunswick, 12; and Saco, 20 were stationed. 300 men were employed as scouts, 65 of whom were posted in Falmouth, (Maine), and in July, 1744, a conference was held at St. George's fort between a delegation from Boston and the chiefs of the Penobscot tribe of Indians, called the Tarratines, where assurances of peace were exchanged.

On the 20 October, 1744, the governor of Massachusetts, with advice of his council, publicly declared war against the several Indian tribes Eastward of those on the Passamaquoddy. They offered premiums for the scalps of Indians, viz't.: £100 for that of a male Indian of 12 years or upwards; £50 for the scalp of a woman or child; and for a captive, £5 higher than for a scalp. These sums were of what was then termed the New Tenor paper currency, which was of much less value than sterling. Douglass says at one time the pound currency was only 1s. 10d. or 1s. 11d. sterling value. The scale of this new tenor currency was 20s. for three ounces of silver. [2 *Williamson, Maine*, 208, 217, 218.]

Duvivier, who had long anticipated an opportunity for recovering the country for France, was no doubt confident of success, as we may conclude from his memoir on the subject in 1735. He evidently at that time relied on the affection of the French inhabitants for their former sovereign, and it is not unlikely if the war had then taken place, that his views might have been realized. In the lapse of years many things occurred that diminished materially the influence on which he had calculated. Death had removed most of those inhabitants who had been born under French allegiance, as the country had been conquered 34 years. The kindness, moderation and justice habitually exercised by the English government at Annapolis, had made strong impressions on the better feelings of the people. The perfect freedom they enjoyed from tax-

ation or oppression, contrasted, no doubt, with the exactions of the companies who, under the former rule, had monopolized all trade, and kept the laboring population in effective slavery—the enjoyment of their religion, which was in no wise interrupted, except when a missionary made himself obnoxious by too palpable a desire to disturb the public peace—the system of government, by which their own chosen deputies and the notaries managed all their local affairs, had all contributed to reconcile them to the English rule. They could not be blind to the fact, that by the treaty of Utrecht the French crown had wholly abandoned and ceded the territory to England, by which an undisputed title to the country belonged to the English government, and most of them or their parents had taken an unconditional oath of allegiance at the instance of governor Philipps. All these considerations must have had their effect, at the time Duvivier came, to make the thinking part of the people averse to take up arms against the lawful owners of the land, however strong may have been their natural sympathy with France. The extreme courtesy, kindness and humanity of Mascarene—his politeness, especially to all the French inhabitants, and particularly to their missionaries, and the fact of his being himself French, altho' huguenot, must have had great effect in favor of the government in which he presided. We may be assured that the Latour family must have still retained a certain weight and popularity, owing to their long connection with the country, and the eminent position they originally held in it; and no doubt Duvivier, in 1735, very reasonably reckoned on support arising from his ancestry. In the meantime, however, we may perceive that the perfect unity of that family no longer existed. Litigation had existed between madame Belleisle and her relatives, and, worst of all, Mrs. Campbell, (Agatha de la Tour), had contrived to concentrate in herself the titles of several branches of the family, and to sell the seignories they held to the English crown for some 3000 guineas or thereabouts, and had removed her abode to Kilkenny, in Ireland. When we consider all these matters, we will see more clearly how it was that the little army from Louisbourg, while it was largely reinforced by the Micmac

warriors, who had been always taught to believe that the French king had not ceded their territorial rights, received no effective aid from the French Acadians. Although there were always a portion of the inhabitants of Chignecto positively disaffected to English rule, in the other settlements of Cobequid, Piziquid, Grand Pré, &c., as well as on the Annapolis river, there were very few persons who were even suspected of willingly aiding the invasion; and Duvivier received as little support from the Acadians after he crossed the Avon (Piziquid) river, as prince Charles Stewart did in the next year after crossing the Tweed. Governor Mascarene's letters shew fully, how far either the missionaries or the people were at that time from giving effective assistance to the invading force from Louisbourg. It was, in fact, dependant on Indian auxiliaries, and the naval aid from France, which arrived too late. There is another thing that must have operated very unfavorably on Duvivier's fortunes. Coming with an armed force to Mines and Annapolis river, at both places he issued written orders in the name of the king of France, demanding obedience of the people as French subjects, most of them having been born under English allegiance, and threatening them with being delivered over to the Indians, or at once put to death in case of disobedience. We have remaining as many as twelve orders issued by him from the French camp of this nature, commanding the services of individuals by name—the furnishing horses and men to lead them—the bringing in powder horns—the swearing allegiance by the deputies and elders—furnishing ladders, pickaxes, shovels, cattle, wheat—baking of bread—to forbid buying arms—the supplying of shirts—furnishing canoes, &c. &c. Disobedience to these is usually menaced with death—sometimes with corporal punishment. I cannot help thinking that this harsh mode of obtaining supplies and aid, in which there is nothing to promise or infer any intention to pay for the articles required, could only have injured a military expedition of this nature. However it may have intimidated the people or put down resistance, it could have no tendency to strengthen their attachment—to conciliate opponents, or win friends to his enterprize. While in his

diplomacy with Mascarene and the officers of the garrison he displayed courtesy, tact, and great sagacity, he seems to have lost sight of the efficacy of kindness and moderation in dealing with the poor *habitants* of Mines and Annapolis river. I do not know whether we should attribute this to the pride of noblesse, then so predominant, which led to an undervaluing of the peasantry—to the harshness of military sentiment at that time, or to personal incapacity in Duvivier for the part he had to play; but from whatever cause it may have arisen, I look on it as having been fatal to his cause.

APPENDIX TO CHAPTER IV.

(1.)

There is a document dated Mines, 10 Oct'r., 1744, addressed to captain de Ganne, signed by ten of the chief inhabitants, stating that the requisitions of grain, made on them by M. DuVivier, could not be obeyed, and that even a partial compliance therewith would involve them all in total ruin. That they are living under a mild and peaceable government, with which they have every reason to be contented, under which they beg to be left, and not be plunged in ruin, and reduced to extreme misery. DeGanne too writes to A. Bourg his consent to their petition, 13 Oct'r., 1744, n. s.

(2.)

12 October, 1744. It was resolved in council to prohibit all kind of clothing peculiar to the Indians, such as blanketing, strouds, &c., being carried up the bay.

(3.)

[Translated.]

Annapolis Royal, 13 October, 1744.

Mademoiselle.

I avow to you that having learned that your father had joined those who came to attack this fort, in hope of recovering his seigneural rights, I did not doubt that all his family was of the same party; the more so as your brother was with the first party of Indians who were here in the past summer. But I have been agreeably surprised, and very glad to see by your letter, that you did not partake of these sentiments, but were disposed to adhere to the obligations which bind you to the government of the king of Great Britain. I should not wish the

esteem I have conceived for you to be in any manner changed. With respect to the protection you ask of me for your establishment at the river St. John, it is beyond my power to grant it to you. We cannot protect those who trade with our declared enemies, so you must make up your mind to remain on this side while the present troubles continue, and not to carry on commerce during that time with the other side. If you come to see us here, you will find me disposed to give you all the assistance you can reasonably expect from me, and to assure you that I am,

Mademoiselle,

Your friend and servant,

P. MASCARENE.

Mrs. Frances Bellisle Robishau.

[See letter to same lady 30 June, 1741.]

(4)

In July, 1744, capt. Rouse captured many French fishing vessels in Newfoundland. In October, 1744, captain Spry, in the Comet, bomb, on the coast of Newfoundland, captured the Labrador, a French privateer, LeGrotz, captain, of 16 guns, 100 men. Some of the privateer's men had been Irish Roman Catholic soldiers of Philipps' regiment, who were captured at Canso.

CHAPTER V.

1745. Louisbourg is situated on the Atlantic or East coast of the island of cape Breton, of which it was the capital under the French government. Latitude of the light house 45° 54′ N., Longitude 59° 58′ W. The town was built towards the South East sea; the streets regular and broad, with a large parade a small distance from the citadel, the inside of which was a fine square, near 200 feet each way; the north side of the square was, when the French possessed it, the governor's house and the church; the other three sides were taken up with barracks, bomb proof, in which place the French put their women and children during the siege. The greatest extent of the town was from the citadel to the stone gate, called the *Duc de Ponthievre*, which was more than half an English mile; and to walk round all the ramparts, which were mounted with heavy cannon, is about 2 1-4 miles. The whole number of guns mounted on the walls and works round the town was 164, out of which only 8 were of brass, and 4 brass mortars, 3 iron mortars, and about 20 brass cohorns. The road from the town to the country led by the West gate, over a draw bridge; and there was a circular battery of 16 guns, twenty-four pounders. There were three gates in the North-west of the town, which looked into the harbor, and had bridges run into the water, so that at any time any sort of goods might be landed with great ease. The island battery had 32 guns, all 42-pounders. This battery faced the harbor's mouth, which it commanded entirely, and had a double ditch on the land side to secure it. The entrance of the harbor was

near half a mile wide, and on the right hand side going in there was a light house, which stands on a high, rocky point, and which might be seen on a clear night 5 leagues off at sea. The depth of water at the entrance from 9 to 12 fathoms. The harbor lies open to the South-east, and is in breadth from N. W. to S. E. more than half an English mile in the narrowest place, and in length from N. E. to S. W. near six miles, with from 6 to 8 fathoms water; good holding ground—the anchorage uniformly safe, and ships may run ashore on a soft, muddy bottom. In the North-east part of the harbour a fine careening wharf existed for men-of-war to heave down, and very safe from all winds. On the opposite side were the fishing stages, and room for 2000 boats to make their fish: in short it was a fine place to make an extensive and advantageous fishery, for you might load your boats twice a day in the harbor's mouth, and within call from the centry boat from the island and light-house battery. There was plenty of wood and sea coal about five leagues to the northward of the harbour. The town was fortified in every accessible part with a rampart of stone from 30 to 36 feet high, and a ditch 80 feet wide. A space of about 200 yards was left without a rampart on the side next to the sea. It was enclosed by a simple dike and line of pickets. The sea was so shallow in this place that it made only a narrow channel inaccessible from its numerous reefs to any shipping whatever, and this part was further protected from attack by the side fire from the bastions. There were six bastions and three batteries, containing embrazures for 148 cannon, of which 65 only were mounted, and 16 mortars. (In July, 1746, the English had 266 mounted cannon in the place.) The works of Louisbourg are said to have cost the French crown thirty millions of livres, and to have been twenty-five years in building; and the place was so strong as to have been called the Dunkirk of America.

In the autumn of 1744, the bold idea of taking Louisbourg originated in New England. The soldiers and inhabitants who had been made prisoners at Canso by Duvivier, were carried to Louisbourg, and, after some detention there, were sent to Boston, according to the terms of capitulation granted

them. From such observations as they had been enabled to make of the fortifications, they expressed an opinion that the place might be reduced. William Vaughan, of Damariscotta, a son of lieutenant governor Vaughan, of New Hampshire, (born at Portsmouth, N. H., 12 Sept'r., 1703), is said to have been the first person who adopted the project of besieging Louisbourg. He had never been there himself, but from information he had received from fishermen with whom he dealt, he conceived the notion of taking it by surprise in the depth of winter, and supposed that 1500 men could effect it; but Pepperell calls colonel Bradstreet the first projector of the expedition.

William Shirley, an English gentleman, bred to the law, after a few years residence in Massachusetts, was, in 1740, made governor, on Belcher's removal. In the autumn of 1744, Shirley wrote to the British government, representing the danger of a renewed attack on Nova Scotia by the French in the ensuing spring, and praying for some naval force to assist in its defence. These letters he sent by captain Ryal, an officer of the garrison, made prisoner at Canso, who, he said, "from his particular knowledge of Louisbourg, and of the" "great consequence of the acquisition to cape Breton, and" "the preservation of Nova Scotia, he hoped would be of con-" „siderable service to the northern colonies, with the lords of" "the admiralty." In consequence of this application, orders were dispatched in January, 1745, to commodore Warren, then in the West Indies, to proceed northward in the spring, with a force sufficient to protect the colonies and distress the enemy, and to consult with governor Shirley, who was ordered to assist Warren's squadron with transports, men and provisions; but the orders directed to Shirley were enclosed to Warren, and were not known in New England until April, 1745.

In the beginning of January, 1745, governor Shirley sent a message to both houses of the assembly of Massachusetts, then in session, informing them that he had an important business to communicate, which required secrecy, and requested that they should take oaths of secrecy for a limited time. This

they did, and he then laid before them the plan of his enterprize for taking Louisbourg. After much investigation, they resolved against it; but subsequently a petition from merchants of Boston, Salem and Marblehead, induced them to reconsider the subject, and the project was finally adopted on the 26 January by a majority of only one vote. The land forces to be raised were estimated at 4000. Though carried with such difficulty, as soon as the decision was arrived at, the whole province appeared to be unanimous and zealous in the execution. Messengers were sent to the other colonies as far as Pennsylvania, to request their aid, but the New England provinces only took a part. Connecticut agreed to raise 500 men; New Hampshire, 300; and Rhode Island, 300.

William Pepperell, of Kittery, a merchant and a colonel of militia, of upright character, and popular and engaging manners, was born 27 June, 1696, in New England. His father was an Englishman from Devonshire. He was therefore in his 49th year, and was appointed commander-in-chief of the New England land forces on this expedition, with the rank of lieutenant general. The next officer in rank was Mr. Wolcott, of Connecticut, then sixty-six years old, who had marched with Nicholson in 1711 in the projected invasion of Canada. He headed the Connecticut contingent, with the rank of major general. Samuel Waldo, a native of Boston, and a colonel of militia and member of assembly, was named third in command, with rank of a brigadier general. Captain Edward Tyng, son of the Mr. Tyng who was named as governor of Nova Scotia in 1691, was made commodore of the New England naval force. Among the other officers of distinction were colonel John Bradstreet, afterwards a major general; colonel Jeremiah Moulton, who commanded at Norridgewock in 1724, and was born in 1688; lieut. colonel Messervé, who died at the second siege of Louisbourg in 1758; colonel Gorham; lieut. colonel Richard Gridley, an artillery officer, who fought on the American side at Bunker Hill in 1775; Mr. Vaughan, who originated the expedition, and now went with it as a colonel unattached; and captain Rouse, in command of the Shirley

galley, one of the Massachusetts war vessels. The land forces were from

Massachusetts, (exclusive of officers),	3250
New Hampshire, (inclusive of officers),	304
Connecticut, do. do.	516
In all,	4070

The Rhode island contingent did not arrive until it was too late to assist in the siege. The sea forces of Massachusetts employed were three vessels of 20 guns each, two of 16 guns, one of 12 guns, and two of 8 guns, making eight armed vessels. One armed ship, hired from Rhode island, of 20 guns; two armed vessels, of Connecticut, of 16 guns each, and two vessels of New Hampshire, each having 14 guns, made the colonial sea force amount to thirteen armed vessels in all, carrying a total of 200 cannon. Ten cannon, 18-pounders, were obtained for the army upon loan from New York. [2 *Hutch., Mass.*, 418.]

On the 23d March, an express boat, which had been sent to commodore Warren, arrived at Boston with excuses from him for not joining. This governor Shirley made known to generals Pepperell and Waldo, but to no other person. By this time the armament was ready, and the general, Pepperell, having embarked in the Shirley galley, captain John Rouse, with the transports in her convoy, they set sail from Nantasket on 24 March, and arrived at Canso, the place of rendezvous appointed, on the 4 April. The New England land and sea forces were detained for three weeks at Canso, in consequence of the winter's ice still adhering to the Eastern shores of cape Breton,—Gabarus (or *Chapeau rouge*) bay, the place designed for landing the troops, being filled with ice, and all landing there being impracticable. While there they built a block-house, and put eight cannon into it, (nine-pounders), and stationed a garrison there of two companies, of 40 men each, being 80 men, exclusive of their officers. On the 16 April, one of their ships, the Cæsar, captain Snelling, captured a French brigantine from Martinique, with a large West Indian

cargo; and on the 18th April the French ship Renommée, of 30 guns, fell in with the Massachusetts vessels, and, after a fight, escaped by outsailing them. After Mr. Warren's refusal, he received by the sloop Hind an order from England to repair to Boston with his squadron, and while on his way thither, on the 12 April, he learned that the fleet had sailed for Canso. On the 22 and 23 April, (o. s.,) Warren reached Canso with his squadron of four men-of-war, and after conferring, by letter, with general Pepperell, left almost immediately and proceeded to cruise off Louisbourg, being joined from time to time by six other ships of the navy, three of them coming from England and three from their station at Newfoundland. He thus had four 60-gun ships, five of 40 guns, and one of 50. Before leaving Canso, Pepperell drew up and reviewed his forces on Canso hill, and formed the detachments he meant to employ. Two armed sloops were sent thence to Bay Verte, to take or destroy vessels understood to be bringing provisions from that place to Louisbourg, and at the same time a party of 270 men, under command of colonel Moulton, and convoyed by an armed sloop from New Hampshire, was sent to St. Peter's, a small French settlement in cape Breton, with orders to take possession of it—burn the houses, and demolish the Fort, which they effected. One object of this capture was to prevent information of the movements of the English forces being carried to Louisbourg, as it was Shirley's idea as well as Vaughan's to take the place by surprise.

On sunday, 29 April, (o. s.,) the expedition sailed from Canso (having re-embarked), in four divisions of transports, and having for convoy one armed snow, and two armed sloops of the New England vessels of war, and expected to reach, the same day, Chapeau rouge, (or Gabarus), a bay next to Louisbourg harbor, on the South, both ports being on the Eastern or Atlantic shore of cape Breton; but the wind failing them, they were obliged to lay aside the thoughts of surprising the enemy, nor did they reach Gabarus until monday, 30 April, when about 8 o'clock, A. M., they were off the mouth of the bay. They were observed by the enemy, who gave an alarm by firing a number of cannon. About 9 or 10 o'clock, A. M., the fleet

having the main body of the troops on board, came to anchor in Gabarus bay, at about two miles distance from Flat point cove. The French continued to fire cannon, and rang the bells in the town, to call in their people from the suburbs and outskirts, and sent out of the town a detachment of about 150 men, said to have been chiefly regulars, under the command of Morpin, the well known privateer captain, and M. Boularderie, lately an officer of the army in France, in order to oppose the landing of the English. Pepperell made a feint of landing a party of his men to the right of the French party at Flat point cove, in order to draw them thither, which had its effect. On a signal from the vessels, the boats returned and joined another party of boats under the stern of one of the English ships, and then, under protection of the fire of the ships' cannon, about one hundred of the English were landed higher up the bay, before the enemy could get up with them. No sooner had they landed than they briskly attacked the French party, who had the advantage of the wood as a cover; and after exchanging some shot, the English killed six of their opponents upon the spot—took as many prisoners, among whom was M. Boularderie—wounded several more, and forced the remainder to make a precipitate flight towards the town, who lost further on their retreat. The English loss is stated on this occasion to have been only two men slightly wounded. The English landed about 2000 men on the same day, 30th April, without further opposition. During this time the French burnt a number of houses between the town and the grand battery, and sunk some vessels in the harbor. On the 1 May, the remainder of the troops were landed, and lieut. colonel Vaughan conducted 400 men through the woods within sight of the city, and saluted it with three cheers. His detachment consisted chiefly of New Hampshire troops, and they marched in the night to the N. E. part of the harbor, where they burnt the warehouses containing pitch, tar, &c., and staved a large quantity of wine and brandy. The smoke of this fire being driven by the wind into the grand battery, so terrified the French that they abandoned it and retired to the city, after having thrown their powder into a well, spiked the

guns, and cut the halliards of the flag staff. The next morning, 2 May, as Vaughan was returning with 13 men only, he crept up the hill which overlooked the battery, and observed that the chimnies of the barracks were without smoke, and the staff without a flag. With a bottle of brandy which he had in his pocket, (though he never drank spirituous liquors), he hired one of his party, a Cape Cod Indian, to crawl in at an embrazure, and open the gate. He then wrote to general Pepperell: "May it please your honor to be informed that by the grace" "of God, and the courage of thirteen men, I entered the" "Royal battery about 9 o'clock, and am waiting for a rein-" "forcement and a flag." Before either could arrive, one of the men climbed up the staff, with a red coat in his teeth, which he fastened by nail to the top. This piece of triumphant vanity alarmed the city, and immediately 100 men were despatched in boats to retake the battery; but Vaughan, with his small party on the naked beach, and in face of a smart fire from the city and the boats, kept them from landing until his reinforcements arrived. This account of taking the Grand battery is given by Belknap, v. 2, p. 211, 217. In the official journal of the siege it is thus mentioned: On May 2nd, a detachment of 400 men was sent round behind the hills to the N. E. harbour, where they got about midnight, and burnt the enemy's houses and stores, about a mile distant from the Grand battery; and on the 3 May we took possession of the Grand battery, which the enemy had deserted, owing, as it is supposed, to the surprize they were in from the firing the houses in the neighborhood. They had abandoned this battery in so much hurry and confusion, that they had only spiked up their guns without breaking off any of the trunnions, or much damaging their carriages.

There were 28 cannon (42-pounders), and two (18-pounders), 350 shells of 13 inches, 30 shells of 10 inches, and a quantity of shot, abandoned in the Grand battery. English workmen were set to drill the cannon, who soon got several of them cleared, and they were turned on the town with effect, every shot lodging within the town, while many fell into the roof of the citadel. Pepperell says he cannot conceive of any reasons

why the enemy should desert so fine a fortification, but extreme want of men. The distance from the Grand battery to the Island battery is 4800 feet, and to the town 5913 feet. Within a week about 20 of the guns had been got ready for service, four of which bore on the town, most of the others commanding the mouth of the harbor. The landing of the artillery, stores and provisions, proved difficult and fatiguing, there being no harbor there, in Gabarus, and the surf running very high, so that for days together nothing could be got on shore; and when anything subject to damage from being wet was to be landed, the men had to wade high into the water to save it. They had no clothes to shift themselves, but poor defence against the weather. The nights were very cold, and, in general, attended with thick, heavy fogs. Thus it took near a fortnight before all the stores were got on shore, and many boats and some stores were lost in spite of all care taken. The English got their small mortars and cohorns to a hill about 400 yards distant from the town, and the large one to a hill near that, from which they threw some shot into the town; but the bed of the large one, on which their chief dependance lay, gave way twice, and put them to difficulty. The French twice sallied out against the battery, but were repulsed. Their fire from the town killed one man and wounded two or three. The English threw up a fascine battery on the West of the town.

On 7 May, by advice of a council of war, at which Warren attended, Pepperell sent in a summons to M. Duchambon, proposing terms of surrender. He replied that his answer to it must be at the cannon's mouth. On the 8 May, the English established a battery of seven guns at the foot of Green hill, behind a little pond, and fronting the king's bastion. This battery never ceased firing during the siege, and proved very effective. The besieged made a sally this day, but were soon repulsed. On the 13th, a snow from Bourdeaux got in, notwithstanding the vigilance of the English men-of-war and colony cruisers. An ineffectual attempt was made from the Grand battery to destroy her by means of a fire ship. Colonel Moulton rejoined the besiegers, with the detachment that he

had led to St. Peters; having destroyed that settlement and taken some plunder and prisoners there, burnt four schooners and brought one off. The greatest part of the inhabitants made their escape. Captain Jacques was killed, and captain Stanford wounded, in a conflict with Indians at *baie Verte.* Meanwhile, Warren sent some of the cruisers to St. Anne's and Niganiche, who burned about forty houses and as many small vessels. Sickness prevailed at this time among the besiegers so greatly, being a diarrhœa occasioned by encamping on damp ground, that they had not more than 2100 effective men, of whom 600 had gone in quest of parties of French and Indians. On the 16 May, the cohorns and 9 and 11 inch mortars were removed to a hill within 1320 feet of the West gate, whence they annoyed the garrison. A party of one hundred men left the town during the night, and landed near Light-house point, and next day attempted to surprise the English who were posted at the light-house. Forty of the latter advanced on them, and a conflict took place in a wood, where the French were defeated, losing five killed, and a lieutenant wounded and made prisoner. The rest escaping, united with some other French and eighty Indians about Miré, and were soon after again attacked and defeated by the English on scouting parties. The English scouts and cruisers at different times burnt most of the smaller French settlements, and made about 300 prisoners.

On the 17 May, the *advanced* battery was raised, bearing W. by N., 1-2 N., 750 feet distant from the West gate, and one 18-pounder mounted; and on the 18th, a second 18-pounder, and two 42-pounders, were mounted there. These guns were brought there from the Grand battery, upwards of two miles by the road, over a very rough, rocky, hilly way. From this battery the West gate was beaten down, and a breach made in the wall adjoining, and the North East battery damaged, and rendered in a great measure useless. Besides the cannonading, the fire of musketry on both sides was much employed for hours daily. On the 20th May, three additional guns were mounted at the advance battery. In the meantime the French erected two cavaliers, of two guns each, upon the

rampart of one of the faces of the king's bastion,—planted a great number of swivel guns upon the wall facing the harbor; and to secure the low wall at the South-east part of the town, added to the top of it a plank work, picketted so as to raise it to the same height with the rest of the wall, and a range of palissadoes, at a little distance within the walls, and raised a little battery of three small guns upon the parapet of the lower South bastion fronting *cap Noir*, a small hill which very much commands the town.

On the 18 May, the Vigilant, a French ship of war of 64 guns and 560 men, commanded by the marquis *de la Maison-forte*, laden with military stores for the relief of the garrison, was met by the Mermaid, 40 guns, captain Douglass, who suffered her to chase him until he drew her within command of commodore Tyng, and the other vessels cruising with him, when the Vigilant struck. This took place off the harbor, in sight of the camp.—The besiegers erected five fascine batteries, the last called Tidcomb's, on 20 May, afterwards mounted with five 42-pounders, bearing N. W. by W., about 2400 feet distant from the West gate.

As might be expected from militia, a want of order and discipline was very apparent in the New England troops. They presented a formidable front to the enemy, but the rear was a scene of confusion and frolic. While some were on duty at the trenches, others were racing, wrestling, pitching quoits, firing at marks or at birds, or running after shot from the enemy's guns, for which they received a bounty, and the shot were sent back to the city. They knew nothing of regular approaches, but took advantage of the night; and when they heard Mr. Bastide's proposals for zigzags and epaulements, they made merry with these terms of art, and went on in their inartificial mode.

On the 25 May, the 13-inch mortar burst, owing to a flaw in the shell, which broke in the mortar, and wounded a bombardier. On the eighth day after, one received from Boston was at work in its place. The transportation of the cannon was carried on with almost incredible labor and fatigue, for the ground over which they had to be drawn consisted chiefly of

a deep morass, varied here and there with small patches of rocky and hilly land. While wheels were used, the cannon several times sunk entirely under the surface. Cattle could not be employed in this service, but the whole was to be done by men, who were themselves often up to their knees in mud. The work had to be done by night, and the nights were cold, and mostly foggy. The tents of the men were also bad, as no proper materials for them were then to be had in New England. The men, however, were not discouraged, nor did they murmur at their tasks, which were, after some time, lightened by the adoption of sledges of about 16 feet long, five feet wide and one foot in thickness, on which the cannon could be better removed. These were constructed by lieut. colonel Messervé, of the New Hampshire troops, who was a ship carpenter. The French had thought the roads impassable for such heavy bodies, but the perseverance and resolution of the troops, and the experience they had in the removal of heavy weights, aided them in their Herculean labor. All the powder, shot and shells, which they daily used in the siege batteries, they had to carry over the same roads on their backs. Tidcomb's battery did great execution against the Circular battery, by means of which, and the advance battery, not only the West gate was demolished, but a large breach was made in the wall to within ten feet of the bottom of the ditch. The Circular battery was almost entirely demolished, but three guns out of sixteen being left standing, and those so exposed to the N. W. battery that nobody could keep the platform. The West flank of the King's bastion was almost wholly ruined, but in some measure repaired with timber. This battery, the advance battery, and the light-gun battery, were sustained by 1350 men. After many fruitless preparations for an attack on the Island battery, it was attempted on the night of 26 May by a party of 400 men, who went there in whale boats very thin and slight, so that a few musket balls could sink them ; but from the strength of the place, and the advantage the enemy had of being under cover, and our men being exposed in open boats, the surf running very high, and their not being thoroughly acquainted with the best place of landing, they were repulsed,

with the loss of about 60 killed and drowned, and 116 taken prisoners. One Brookes, an American officer, had nearly struck the flag of the Fort; it was actually half down, when a Swiss trooper in the French service clove his skull. On 6 June, the French had two guns run out of new embrazures cut through the parapet near the West gate, which soon began to play with great fury, and the besiegers were obliged to turn three guns against them. In three hours they dismounted one and silenced the other for that day. The 9 and 11 inch mortars, with constant use straining their beds, occasioned their being removed to this battery, which was nearer the enemy, as were also the cohorns. The bombs in great number fell all around, but did very little damage. There were 10 men killed, and 15 or 16 wounded, several of them with musket balls. In the meantime the besieged worked constantly in the night to barricade the gateway, where a breach was made. They also made a retrenchment across the Circular battery—raised another work to cover their magazine, and laid a boom before the town, to hinder boats from landing under their walls. At the same time the English men-of-war and cruisers were very diligent, and took several prizes. The ground was so uneven, and the New Englanders so scattered, that the French could form no estimate of their numbers, nor could they learn it from the prisoners taken at the Island battery on the 26 May, who, on their examination, as if by previous agreement, represented the number to be much greater than it really was. At this time, besides the damage done to the roofs of the houses, the West gate was defaced, the adjoining curtain and flank were much hurt, but no practicable breach was made by the random bombarding.

Upon the capture of the Vigilant, it was thought that if the fact were communicated to the besieged, it would have an effect. The general and commodore accordingly devised an expedient for that purpose. Some English prisoners had been used with cruelty, and the general requested the captain of the Vigilant, the marquis *de la Maisonforte*, to visit all the English ships in which there were French prisoners, and observe their condition. The marquis being satisfied that they were

all well treated, was then requested to write to the governor of the city to that effect, and to request the like favor for the English, who were prisoners. With this he complied, and on 7 June, captain McDonald went to Louisbourg with a flag of truce to deliver the letter of the marquis, and was carried into the presence of the governor and his chief officers, who, supposing him not to understand French, spoke unguardedly, so that he ascertained that they had not before been apprized of the capture of the Vigilant, and were much disturbed by it.

The island battery was a strong fort at the entrance of the harbor, situate on a small rock of about 20 yards broad and 200 long, and almost inaccessible, the battery being in front and a guard house and barracks behind. It was mounted with thirty 28-pounders, seven swivels, snd two brass 10-inch mortars, and its garrison consisted of 180 men. It being of the utmost consequence, in the opinion of the besiegers, to obtain possession of this post,—and after the unsuccessful attack made on it by boats, that plan being considered impracticable,—it was determined to erect a battery on a high cliff near the light house, opposite to it, which would be 3400 feet distant, in such a manner as to be exposed to the fire of but four of the enemy's guns, and at the same time to flank a line of above twenty of their guns. Lieut. colonel Gridley was employed on this work, and notwithstanding the almost insuperable difficulties that attended it, it was happily effected, and two 18-pounders mounted the 11 June. The difficulties the English had to encounter were the transporting their cannon in boats from Gabarus bay to the Eastward of the light house—getting up the bank of the shore, which was a steep, craggy rock, and hauling them a mile and a quarter over an incredibly bad way of hill, rocks and morasses. Powder growing short, the fire of the besiegers had for some days very much slackened, and the French began to creep a little out of the casemates and covers where they had hid themselves during its greatest fierceness. This day, 11 June, being the anniversary of the accession of king George 2d, as a mode of honoring it, orders were given for a general discharge of all the cannon from every battery, at 12 o'clock. This was done, and it was

followed by an incessant fire all the rest of the day. It was determined, as soon as possible after the arrival of the Canterbury and Sunderland, to make a general attack by sea and land. Accordingly, they arriving the next day, all the transports were ordered off to take out the spare masts, yards, and other lumber of the men-of-war. The soldiers were employed in gathering moss to barricade their nettings, and 600 men were sent on board the king's ships at the request of Warren. The large mortar was ordered to the Light-house battery; and a new supply of powder coming in, the fire was more fierce from this time to the 15th than ever. Four more guns had been mounted on the Light-house battery by the 14th, and a force of 320 men stationed there. When the large mortar began to play from it upon the Island battery, out of 19 shells discharged, 17 fell within the fort, and one of them upon the magazine. The shot from the cannon ranged quite through the barrack on the island, and its garrison being so much exposed to its effects, some of them in terror fled the fort and ran into the water for refuge.

The Grand battery being held by the English, the Island battery so much distressed, the North-east battery open to the fire of the besieger's advance battery, so that it was not possible for its defenders to stand to their guns,—all the guns of the Circular battery, except three, having been dismounted, and its wall almost entirely broken down,—the West gate demolished, and a large breach made in the wall adjoining,—the West flank of the King's bastion nearly ruined,—the houses and other buildings in ruins, (but one house in the town remaining uninjured), and the ammunition of the besieged beginning to fail, they sent out a flag of truce to the camp, desiring time to consider upon articles of capitulation. This was granted until the next morning, when they brought out articles, which were refused, and others were sent in by Pepperell and Warren, to which Duchambon assented.

Terms of Capitulation agreed to June 15, 1745, *for the surrender of the town and fortresses of Louisbourg, and the territories thereunto belonging, between commodore Warren and general Pepperell, on the English side, and M. du Chambon, the governor of Louisbourg:—*

1. That if your own vessels shall be found insufficient for the transportation of your persons and effects to France, we will provide such a further number of vessels as may be sufficient for that purpose; also any provisions necessary for the voyage, that you cannot furnish yourselves with.

2. That all the commission officers belonging to the Garrison, and the inhabitants of the Town, may remain in their houses with their families, and enjoy the free exercise of their religion; and no person shall be suffer'd to misuse or molest any of them, till such time as they can conveniently be transported to France.

3. That the non-commission officers and soldiers shall, immediately upon the surrender of the Town and fortress, be put on board some of his Britannick Majesty's ships, till they can also be transported to France.

4. That all your sick and wounded shall be taken tender care of, in the same manner with our own.

5. That the commander-in-chief now in the Garrison shall have liberty to send off two covered waggons, to be inspected only by one officer of ours, that no warlike stores may be contained therein.

6. That if there are any persons in the town or garrison which you shall desire may not be seen by us, they shall be permitted to go off masked.

"The above we do consent to, and promise on your compliance with the following conditions, viz.:"

1. That the surrender and due performance of every part of the aforesaid premises be made and completed as soon as possible.

2. That as a security for the punctual performance of the same, the Island battery, or one of the batteries of the town,

shall be deliver'd, with all the artillery and warlike stores thereunto belonging, into the possession of his Britannick Majesty's troops, before six of the clock, this afternoon,

3. That his Britannick Majesty's ships of war, now lying before the port, shall be at liberty to enter the harbour of Louisbourg, without any molestation, as soon after six of the clock this afternoon as the commander-in-chief of the said ships shall think fit.

4. That none of the officers, soldiers, nor inhabitants in Louisbourg, who are subjects of the French king, shall take up arms against his Britannick Majesty, or any of his allies, until after the expiration of the full term of 12 months from this time.

5. That all subjects of his Britannick Majesty who are now prisoners with you, shall be immediately delivered up to us.

P. WARREN.
W. PEPPERELL.

"It having been desired by the governor of Louisbourg that his troops might march out of the Garrison with their arms and colours, and to be then delivered into the custody of commodore Warren and Mr. Pepperell, till the said troops' arrival in France, and to be then returned to them, the same was consented to."

Hostages were then exchanged, and the city and fortresses were surrendered on the 17 June, o. s. The loss of the English during the siege was computed to be 101 killed, and 30 who died of sickness. The enemy is supposed to have lost over 300 men.

Duchambon says: "The fire of the enemy from cannon" "and mortars was without cessation from the beginning of" "the siege,—the houses of the city were perfectly riddled" "with balls.—the flank of the king's bastion was demolished," "—the wooden and turf embrazures that have been fre-" "quently repaired were destroyed, and a breach was made in" "the Dauphin gate, through which an entrance was now" "practicable by the help of fascines, which the enemy were" "bringing forward for two days to the advanced battery, and"

"all this had been done in the face of our cannon and mus-" "ketry, and which were served with an activity and vigor" "beyond expectation. This is proved, monsieur, by a fact" "that of the 67,000 kegs of powder we had at the commence-" "ment of the siege, there remained on the 17 June but 47 in" "the city, which quantity was absolutely necessary on the" "eve of capitulation. We had also expended all our shells of" "9 and 12 inches.—Every one was worn down with fatigue" "and watching; and of the thirteen hundred men at the" "beginning of the siege, fifty were killed and ninety-five" "wounded, and many were sick from the hardships they" "endured." On the 16 June, the inhabitants of the city sent the governor a petition, requesting him to capitulate. General Pepperell says: "We gave the town about 9000 cannon" "balls and 600 bombs before the enemy surrendered." In Duchambon's letter to count d'Argenson, dated Belle isle road, 13 August, 1745, he says the English had 13,000 sea and land forces, and he but 1300, and attributes his yielding to want of powder and people.

On the 17 June, the French garrison marched out with arms, music and standards, after a siege of 49 days, (Pepperell himself marching in at the head of his troops by the South-west gate,) and paraded in a line between the casemates in front of the French troops, who were drawn up in a parallel line in front of the barracks to receive them. Salutations were exchanged, and formal possession taken. A banquet was prepared by Pepperell for the officers of his army. Several clergymen were present, and the senior of them, old Mr. Moody, of York, the uncle of Mrs. Pepperell, was called on to ask a blessing at the feast. The friends of Moody felt somewhat anxious lest he should disgust the guests by a prolix performance such as he often indulged in; but his temper was so irritable that none would venture to suggest to him that brevity would be acceptable. They were agreeably disappointed and highly gratified by his saying grace as follows: "Good Lord, we have so many" "things to thank thee for, that time will be infinitely too short" "to do it. We must therefore leave it for the work of eternity."

" Bless our food and fellowship upon this joyful occasion, for"
" the sake of Christ, our Lord. Amen."

By the capitulation the inhabitants as well as the garrison were included in the engagement not to bear arms against the British for twelve months. The garrison which surrendered comprized about 600 regular soldiers and 1300 militia, half of whom were called in from the neighboring settlements. These with near 2000 inhabitants, and 560 the crew of the Vigilant, making in all 4130 persons, were sent to France embarked in 14 cartel vessels bound to Rochefort, of these 1822 went *viâ* Boston, and 76 *viâ* New Hampshire. Seventy-six cannon and mortars and other property to a great amount fell into the victors' hands, and the town was found to contain provisions and ammunition enough for five or six months. [There seems some contradiction in the different accounts as to what powder and shot remained in the place at the time of the surrender. The strongest testimony leads to the conclusion that they ran short of gunpowder.] It is said that on entering the fortress and viewing its strength, and the plenty and variety of its means of defence, the stoutest hearts were appalled and the impracticability of carrying it by assault was fully demonstrated. We must bear in mind however that the blockade of the port was very effective, and the place was thus invested so as to preclude any relief getting into it, so that it must eventually have fallen, though by a slower but very destructive process. A schooner was dispatched to Boston with the news of the conquest, which arrived there on the 3 July about 1 A. M. At break of day the bells rang out and that day and night were devoted to rejoicing.—As it was expected at Louisbourg, that French vessels would arrive, the French flag was kept flying to decoy them. Two East Indiamen and one South Sea ship were captured by the squadron at the mouth of the harbor. These prizes were valued at £600,000. The place was kept under the joint authority of Warren and Pepperell. Governor Shirley arrived there on the 17 August, and he persuaded the New England militia to continue in the service beyond the term for which they had enlisted. The

Vigilant, Chester and Louisbourg (five ships) staid there over the winter. We may conclude that a large garrison was left to preserve this important conquest, particularly as we find, three years after, that there were nearly 4000 troops stationed there.

The information of this event having reached London on the 23 July; at noon, the Lords of the Regency in council ordered the Tower and Park guns to be fired in honor of the victory. This took place at 3 P. M. In the evening the public offices, &c., were illuminated, and the night concluded with bonfires, ringing of bells and all the other demonstrations of joy then usual.

Pepperrell was made a baronet, Warren promoted to be rear admiral of the blue. Commissions were issued to both Pepperrell and Shirley, as colonels, authorizing them each to raise a regiment in America, as part of the regular army. No prize money was awarded to the New England troops, but the expenses of the expedition were reimbursed in 1748, to the colonies interested, by Parliament.

This siege, so suddenly resolved on by the colonists, so boldly undertaken, so resolutely persevered in, until crowned with complete success, is an event of no ordinary character. That a colony like Massachusetts, at that time far from being rich or populous, should display such remarkable military spirit and enterprize, aided only by the smaller province of New Hampshire, that they should equip both land and sea forces to attack a redoubtable fortress called by British officers impregnable, and on which the French crown had expended immense sums,—that the British commodore should give such hearty aid and concurrence, and that such entire harmony existed between him and Pepperell, and among those who were under their respective commands, that 4000 rustic militia, whose officers were as inexperienced in war as their men, although supported by naval forces, should conquer the regular troops of the greatest military power of the age, and wrest from their hands a place of unusual strength, all appear little short of miracle. No better evidence can be found to shew that the British race had

not in any way degenerated from the high qualities of their nation, although changing their homes for the wild regions of America. The traditions of the border wars with the Canadians and Indians no doubt operated in producing a military disposition among the people of New England; but many years had elapsed since any actual service of that kind had been called for, and I do not know that there is a name among the members of this expedition connected with previous operations of battle, except that of colonel Moulton, who had held a command in the raid of Norridgewock twenty years before. The merit of projecting this expedition has been attributed to colonel Vaughan, and to Mr. Robert Auchmuty, Judge Advocate of the Court of Admiralty in New England; but Pepperell, in a letter to the duke of Newcastle of June 19, 1745, written immediately after the capture, says expressly that colonel Bradstreet was the first projector of the expedition. Auchmuty's project, which is printed in the London Magazine for 1745, differed from that acted on, as he suggested that 3000 colonials should be united with 2000 regulars and 6 ships of the line. Vaughan probably urged on the notion, and much was due to governor Shirley, who gave shape and form to the plan—drew up excellent suggestions and directions, leaving yet every latitude of discretion to Pepperell, and used every exertion to promote and provide for the expedition. Governor Benning Wentworth, of New Hampshire, wisely placed his men absolutely under Pepperell's command. The importance of this victory can hardly be overrated. It certainly saved Nova Scotia to the English, and perhaps secured New England from serious dangers, while it infused a spirit of self-reliance in the British colonists. The harmony that subsisted between Warren and Pepperell had, as the former says in a letter to the duke of Newcastle, soon grown into a strict friendship. They had much difficulty to encounter. The town was in ruins. The troops not habituated to discipline or obedience. The water was unwholesome—the climate severe—firewood was scarce, and rum was over-abundant. Warren had ordered all the rum in the place to be lodged in the citadel casemates, which had been effected to the amount of 64,000 gallons

(equal to more than 1000 hogsheads), and yet so much had escaped his efforts, that Admiral Knowles, his successor in the government, says 1000 men would be daily drunk. It is not to be wondered at, then, that sickness prevailed and mortality ensued. In January, 1745–6, Warren and Pepperell tell the duke "out of the number of 2740 alive at the time of Mr." "Shirley's departure, we have buried near 500 men, and have" "near 1100 sick;" and in May, Pepperell states that about 1200 of the troops had died of fever. They recommended the dismantling and abandonment of the Block-house at Canso, for want of men to support it—also that a fort and settlement should be established at St. Anne's.

APPENDIX TO CHAPTER V.

(1.)

Commodore Warren's Squadron before Louisbourg.

Eltham,	40 guns,	Capt. Durell.
Superbe,	60	
Launceston,	40	" Calmady.
Mermaid,	40	" Douglas.
Hector,	40	" Cornwal.
Princess Mary,	60	" Edwards.
Canterbury,	60	
Sunderland,	60	
Lark,	40	(Store ship.)
Vigilant,	64	Prize taken 18 May.

(James Douglas got command of her.)

(2.)

Sea forces of Massachusetts, &c.

Ship Massachusetts frigate,	20 guns,	Capt. Edw. Tyng.
Cæsar,	20	" Snelling.
Shirley galley,	20	" John Rouse.
Snow Prince of Orange,	16	" Smithurst.

(The Prince of Orange was sunk in a storm, and the crew drowned.)

Brig Boston packet,	16 guns,	Capt. Fletcher.
Sloop,	12	" Donahew.
"	8	" Saunders.
"	8	" Bosch.
Sloop hired from Rhode Island,	20	" Griffin.
Connecticut vessels—one of	16	" Thompson.
Colony sloop,	16	
Of New Hampshire—		
Province sloop, about 14 guns.		
Of Rhode island—		
Colony sloop, about 14 guns.		

(3.)

Officers in Pepperell's army at the reduction of Louisbourg, 1745.

1. York County.—Pepperell's Regiment.—Colonel Bradstreet, lieut. colonel Storer, major Cutts. Captains: Peter Staples, Ephraim Baker, John Fairfield, Bray Dearing, John Kinslagh, John Harmon, Moses Butler, Thomas Perkins, William Warner, Moses Pearson.

2.—Connecticut.—General Wolcott's Regiment.—Colonel Burr; lieut. colonel Lothrop; major Goodridge. Captains: David Wooster, Stephen Lee, Daniel Chapman, William Whiting, Robert Dennison, Andrew Ward, James Church, Henry King.

3. Cumberland County.—Colonel Waldo's Regiment.—Lieut. colonel Noble; major Hunt. Captains: Samuel Moody, John Watts, Philip Damarisque, Benjamin Goldthwaite, Daniel Hale, Jacob Stevens, James Noble, Richard Jacques, Daniel Fogg, Joseph Richardson.

4. Brigadier Dwight's Regiment.—Colonel of Artillery. Lieut. Col. Thomas, major Gardner.

5. York County.—Colonel Moulton's Regiment.—Lieut. colonel Donnell; major Ellis. Captains: John Card, John Lane, Christopher Marshall, James Grant, Charles King, Peter Prescott, Ami R. Cutter, Samuel Rhodes, Bartholomew Trow, Estes Hatch.

6. Worcester.—Colonel Willard's Regiment.—Lieut. Col. Chandler; major Pomroy. Captains: Joshua Pierce, John Terry, John Alexander, David Melvin, John Warner, Jabez Homestead, Joseph Miller, James Goulding, James Stephens.

7. Essex.—Colonel Hale's Regiment.—Lieut. colonel Eveleigh; major Titcomb. Captains: Benjamin Ives, Daniel Eveleigh, —— Titcomb, John Dodge, Jonathan Bagley, Jere. Foster, Samuel Davis, Thomas Stanford, Charles Byles.

8. Bristol.—Colonel Richmond's Regiment.—Lieut. colonel Pitts; major Hodges. Captains: Nathaniel Bosworth, Thomas Gilbert, Josiah Pratt, Robert Swan, Ebenezer Eastman, Cornelius Sole, John Lawrence, Nathaniel Williams, Ebenezer Nichols, —— Weston.

9. Colonel Gorham's Regiment.—Lieut. colonel Gorham; major Thatcher. Captains: Jonathan Carey, Elisha Doane, Sylvester Cobb, Israel Bailey, Edw'd. Demmick, Gershom Bradford, Samuel Lombard.

10. New Hampshire.—Colonel Moore's Regiment.—Lieut. colonel Messervé; major Gilman. Captains: Samuel Whitten, William Waldron, True Dudley, Tufton Mason, William Seaward, Daniel Ladd, Henry Sherburne, John Turnel, Samuel Hale, Jacob Tilton, Edward Williams.

(4.)

The authorities which I have followed as to this siege of Louisbourg, are Hutchinson, Belknap, Williamson, and Douglas, the correspondence in mss., London Magazine, &c. One source of many particulars was the American Magazine for 1746. It contains an official journal of the operations of the besieging army. Certified at Louisbourg as true, Oct'r. 20, 1745, by Pepperell, Waldo, col. Sam. Moore, lt. col. Simon Lothrop. and lt. col. Richard Gridley, of the artillery.

(5.)

From a letter of Pepperell to Shirley, (date wanting.)

"Mr. Benjamin Green, whom you was pleased to appoint secretary in this "expedition, it would be a pleasure to me if you would be pleased to mention "him at home to be continued secretary, if his majesty should be pleased to make "this place a government. Commodore Warren voluntarily offered to join with "me in a letter home for that or anything else, and has mentioned to him to send "for his wife to come here with madame Warren."

Benjamin Green was subsequently a member of H. M. Council, treasurer and president in Nova Scotia. His great grandson, Capt. Parker, was killed at Sebastopol.

(6.)

Pepperell to Shirley. July 4, 1745.

He sends Shirley a hhd. best claret he could get at Louisbourg, as a present. P. S. recommends Mr. William Winslow as Commissary of provisions or storekeeper to the Garrison.

"Mr. Bastide no doubt would have done all in his power, had he come sooner, "for the service of the expedition, but our batteries were erected, and played on "the enemy before he came, and the affair almost over." "Your Excellency did "tell me that this summer you did design to bring madam Shirley here. Nothing "would give me more pleasure than waiting on you before my removal. I should "be glad your own eyes may see this place, for I cannot make a just representa-"tion of the strength and formidableness of it."

(7.)

William Pepperell, of Kittery, colonel of the Western regiment of Yorkshire militia, was appointed commander-in-chief of the Land Forces, with the rank of lieutenant general. He was born in New England 27 June, 1696. His father was from Devonshire, in England. He was a merchant—upright, popular, and of engaging manners. Pepperell left no surviving son. His grandsons' estates were confiscated, they being loyalists. [2 *Will., M.*, 224.]

Samuel Waldo, a native of Boston, colonel of the Eastern Yorkshire regiment of militia, and member for Falmouth in the General Court, was made third in command, with the rank of brigadier general. The enlistment for volunteers began on 2 Feb'y., 1745. Brigadier Waldo died in 1759. [*London Magazine for July*, 1759.]

Captain Edward Tyng, of Falmouth, was appointed commodore of the New England fleet. He was son of Mr. Tyng, named as Governor of Nova Scotia in 1691, but captured by the French. He married a daughter of Cyprian Southack, one of the Council of Nova Scotia, and his second wife was sister of Samuel Waldo. On the 24 June, 1744, he commanded the galley or snow called the Prince of Orange, and captured a French privateer.

Sir Peter Warren, K. B., was born about the year 1700—was commissioned a captain in the Navy 1727—commanded the Leopard, 50, in 1734, and the Squirrel, 50, in the expedition against Carthagena in 1741.

In 1744, commodore Warren commanded the fleet at the Leeward islands, and in the following year at the siege of Louisbourg. As a reward for his services on the latter occasion, he was promoted to the rank of Rear Admiral of the Blue 10 August, 1745. He applied for the government of New Jersey on the death of Governor Morris, but without success. In 1747 he was made Rear Admiral of the White, and greatly distinguished himself in the sea fight off Cape Finisterre, while commanding the Devonshire, 66, and the same year, May 29th, [*L. M. for 1747, p.* 391], was created a Knight of the Bath. In May, 1748, he was made Vice Admiral of the Red. Admiral Warren was married to Susan, eldest daughter of Stephen de Lancy and Ann van Cortlandt, of New York. From the inscription on his monument in Westminster Abbey, we find him designated—

"Sir Peter Warren, knight of the Bath, Vice Admiral of the Red squadron of the British fleet, and member of Parliament for the city and liberty of Westminster. He derived his descent from an ancient family of Ireland."

His death is there stated to have happened "on the 29th day of July, 1752," "in the 49th year of his age." [*From the London Magazine for* 1757, *pp.* 552 *and* 560.] The celebrated Sir Wm. Johnson, of the Indian wars, was his nephew. *London Magazine for* 1752, *p.* 383, the death of Sir Peter Warren, Knight of the Bath, Vice Admiral of the Red, and member of Parliament for Westminster, is stated as occurring 29 July, 1752, in Ireland, of an inflammatory fever. He left a lady and 4 daughters. [*See New York colonial documents, v. x., p.* 46, *note.*]

Governor Wolcott.—He had marched with Nicholson from Albany in 1711, on the projected invasion of Canada, being then Deputy Commissary of the Connecticut quota of the troops. He headed the contingent of Connecticut as Major General, next in rank to Pepperell, being then 66 years old in 1745. He was afterwards Chief Justice of Connecticut, and Governor of that province from 1751 to 1754. He died May 13, 1767, in the 89th year of his age. His son signed the declaration of independance.

Colonel John Bradstreet, who commanded Pepperell's own regiment in 1745, was, after the reduction of Louisbourg, appointed Governor of Newfoundland. He was much employed in the French war—was major general in the Royal service in 1772, and died in 1774.

Colonel Jeremiah Moulton was born in York, Maine, 1688, and was taken prisoner by Indians at York when 4 years old. He marched with captain Harmon and 200 men to Norridgewock, and destroyed the Indian village, killing father

Ralle and 26 Indians. He commanded a regiment at the siege under Pepperell, and was afterwards Sheriff, Councillor, Judge of Common Pleas and Probate. He died at York July 20, 1765, aged 77.

Lieut. colonel Messervé, under colonel Moore, of New Hampshire, in 1745, was colonel of a New Hampshire regt. : sent to Crown Point under Abercrombie and Gen'l. Winslow. He went with Amherst to the second siege of Louisbourg, with rank of colonel, but in charge of 200 ship carpenters. He and his son died at that siege, of the small pox, 1758.

CHAPTER VI.

LEAVING the captors of Louisbourg to enjoy the fruits of victory and conquest, let us return to look upon our old friends in the little garrison of Annapolis, and observe how they have fared in the meantime. Mascarene, after the vigils and anxieties of the summer and autumn of 1744, had comparative quiet during the winter, He busied himself in repairing the fortress. Writing 18 March, he says that "tho' the season was" "far advanced when the Ennemy totally left us, two Bastions" "have almost entirely been revested before the winter sett" "in; which, the old revestments being entirely decay'd, and" "the soil with which they are rais'd a meer sand, would, in a" "little time longer, have tumbled down, and left us all winter" "naked to the Ennemy. The materials brought in since, by" "the River being, contrary to what generally happens, left" "open since the latter end of January, will enable us to" "revest a curtain and two flanks, remaining still very bad," "and to pallissadoe our cover'd way, which is still open, and" "the filling up the hollows, and esplanading the Glacis, if the" "Ennemy will allow time for it, will put me in a better con-" "dition to receive him than I was in last year." He says the winter has proved milder than usual, and the French inhabitants have in general behaved well.—In the beginning of this year, Alexander Bourg, the notary of Mines, an aged man, Amand Bugeaud, and one Joseph leBlanć, called Le Maigre, (i. e. the lean), were brought to Annapolis, and subjected to close interrogation as to their conduct during the invasion. The result appeared to be that they had done nothing to aid Duvivier

and his followers, except as far as they were compelled by menaces of death and superior force. During March and April, the repairs were going on, the utmost diligence being used, the inhabitants shewing a readiness to furnish the proper materials. There was a rumor in March among the French population, that three vessels of force, and a new governor, had arrived at Louisbourg—that a party of officers and men had come in the winter to Chignecto, and that the Indians were gathering to join them and the forces to be brought by sea from Louisbourg, in order to make another attempt upon Annapolis. This report caused Mascarene and his garrison to exert themselves with alacrity to make ready for events. He had still with him the four companies of auxiliaries which Shirley had sent in the past summer, without whom he could not have carried on the repairs requisite, nor even, as he says, supplied the guards for the common duty of the garrison. The enemy had seized on a vessel that was loading some provisions for the inhabitants of Annapolis river, and detained another which went on the same errand, and suffered no one to come to Annapolis from the upper part of the bay, (Chignecto?) and thus the rumor prevailing seemed to have a good foundation. In the course of this winter some of the inhabitants of Mines, Pizzaquid, &c.. entertained, or professed to entertain, apprehensions for the safety of such of them as were half breeds, owing to the declaration of war against the Indians proclaimed in New England. On this, Mascarene wrote to the deputies of these places to re-assure them, promising to protect all loyal men, no matter what color their faces might have. (5 Jan'y., 1744–5.) 20 March, he refuses an application from Pierre Alain for a mill seat on the river Chiconecto, as his instructions prevent his making new grants to the inhabitants.

Mascarene was at this time apprized of the sailing of the New England armament to attack Louisbourg, and considered it would prevent any early attempt on Annapolis, and thus afford him time to complete the outward repairs of the Fort, and to expect the arrival of the reinforcements which he had been informed were coming from England to his assistance.

In the beginning of May a rumor came to Annapolis that there was a body of 300 Canadians and 300 Indians at Mines, with several officers, an engineer, surgeon, &c. This party was commanded by M. Marin, a lieutenant from Canada. They came to the vicinity of the Fort at Annapolis during the month of May. They captured two schooners from Boston having goods on board, and made the wife of one of the carpenters of the garrison prisoner. They appear to have hovered awhile in the vicinity of the Fort, and then to have returned to Mines. On the 1st, Mascarene sent out a party of fifty men under the Fort major, by night, to bring in such of the inhabitants of the cape as knew anything of this invasion. Five or six persons were brought in and examined under oath, who confirmed the story of the enemy being at Mines, and stated that two lads, named Charles Raymond and Peter Landry, had privately made three journeys to Mines, from Annapolis. Mrs. Gautier and Paul Suratt were detained, and Peter Gautier was committed to prison for endeavoring to conceal this affair. 4 May, the deputies were reproached for the conduct of the people in carrying on a clandestine correspondence with the enemy by means of the two boys, who had absconded for fear of punishment for their former misbehavior. The deputies threw the blame on a few designing persons.— On the 10 May, the council advised the pulling down two houses, "which are a blind betwixt the Block-house in the" "lower town and the company of Rangers' quarters, and" "hinders their mutual defence," to be appraised and pulled down, viz't., the houses of the late Mr. Oliver, and that of serjeant Davis, and that the crown should be applied to for compensation. May 13, Mr. Bastide, the chief engineer, reports the necessity of pulling down or demolishing "the several "houses in the Lower town belonging to Mr. Adams, Mr. "Ross, Mr. Hutchinson and Mr. Oliver, which are in danger "of being fired by the enemy, who last night attempted to do "it, and as the consequence of which may be fatal, not only to "the neighbouring buildings that are contiguous, but also to "the garrison, which is judged to be so near the town that it "may catch flame, as the wind blows strongly at North East."

Mr. Bastide says, in his letter of 12 May, that the enemy last night endeavored to set Mr. Adams' house in the Lower town on fire with their fire arrows; and this old house, with some other ruinous ones, not inhabited, interrupting the defences between the Ordnance house and the two block-houses, and exposing the good houses to be also burnt, and the risk to the Fort in a North wind, which then blew, recommends to demolish them before night, &c.

The party under Marin had spent the winter at the head of the bay of Fundy; and after three weeks spent in the neighborhood of Annapolis, where their success was confined to the surprize and capture of the two Boston trading schooners, they received a request from M. Duchambon, sent by express, begging their aid to come to his relief, he being then heavily besieged. Part of them, about 400, embarked in a small vessel to go from Port Royal (Annapolis) to Louisbourg, but near cape Sable were chased by Provincial armed vessels, and had to land to escape capture, and finally did not reach near to Louisbourg until July, after the place had surrendered. Douglass says they had two sloops, two schooners, and about 60 large canoes, and were met in Ascamouse harbor, June 15, by capt. Donahew, Beckett, and Jones, of the Provincial cruisers, and forced to retire. [*Summary*, p. 324.] Duchambon thought if they had arrived in time, the English would have raised the siege.

Five of the deputies who attended before the council at Annapolis on 25 May, o. s., stated that the behavior of the enemy towards the inhabitants had been very harsh. That coming in the night, they sent men to every house whilst the dwellers were buried in sleep, and threatened to put any to death that should stir out or come near the Fort. That they had been ordered to furnish weekly a certain quantity of cattle, and to bring their carts and teams, the orders being, most of them, on pain of death. In proof of their assertions, the deputies produced a number of orders signed '*Marin.*' The orders are dated 20, 24, 25, 27, 28, 29, 31 May, and 2 and 3 June, new style, embracing a period of a fortnight identical in time with the space from 9 May to 23 May, old

style. [It is requisite to pay attention to this difference, when we have to compare the French and English statements of the same occurrence. As the English retained the old style until 1752, the dates in all French narratives are eleven days in advance of those mentioned by the English. For example: M. Duchambon writes to the minister, the count d'Argenson, that he was obliged, on the 27th of June, to surrender Louisbourg, &c., this corresponding with the 16 June, o. s., the day of the signing the capitulation. I have frequently added the letters o. s. and n. s. to shew the true time intended, but in other cases wish the reader to infer that in English affairs and narratives the date then was always old style, while the French kept to the new style.] The written orders issued by Marin, copies of which have been preserved, are about twenty in number. Many contain menaces of death in case of disobedience—others speak of corporal punishment. In one for furnishing cattle weekly, they are told the Indians should burn their houses and destroy their cattle if they disobeyed. They are to bring in horses, saddles, canoes, bags, codlines and leads, &c. Death is menaced to any who should obey the order of the English commander to repair to the Fort. They very much resemble the orders issued the previous summer by Duvivier. Indeed they seem at once cruel and ludicrous—cruel in their menacing language, and ludicrous as the acts of an inefficient force, who did nothing military or manly, but hung about the precincts of a fortress, acting more like a band of thieves and incendiaries.

On 19 June, o. s., president Mascarene and the council met, and they had before them deputies from Pisaquid, river Canard, and others, and all the deputies of Annapolis river. Mascarene remarked on the conduct of several of the inhabitants, who had pointed out the effects of the English to the enemy, and had given them intelligence of the circumstances of the garrison, thus leading to the surprising some of the Rangers on Goat island, &c. He told them the well-affected ought to point out such offenders. He also said that all the plunder obtained by the French from the seizure of the two schooners from Boston, had been dispersed, and bought up

by the inhabitants of Mines. On this, Joseph le Blanc, of Grand pré, replied that the people at Mines had bought up the goods, in order to return them to the British proprietors, and had also ransomed three prisoners, whom they were ready to bring to Annapolis. The president and council on this, resolved that the three ransomed prisoners should be at once brought in, the money paid for them be reimbursed, and the captured goods brought in a vessel, with accounts, on oath, from the purchasers, which would be considered. Thursday, 27 June, o. s. Jean Terriot and Jean Potier, deputies from Chignecto, appeared before the president and council. They were ordered to discover those inhabitants who had assisted the enemy; to return to the owners any effects of British subjects seized by the enemy and left there, and not to suffer any person to reside there but those who, by the oath of fidelity taken by themselves or their fathers, were British subjects; "and to make use of all the means in their power to" "make monsieur Dugay speedily to quit the country, &c."

Monsieur Duvivier had been sent to France in the winter of 1744 to solicit a force to conquer Nova Scotia, and accordingly sailed in the beginning of July with seven ships of war for that purpose, who were to stop at Louisbourg on their way. On their passage they captured a vessel bound from Boston to London, on board which was lieutenant governor Clark, of New York. They were thus informed of the fall of Louisbourg, and of the strong English squadron there. On learning this disaster they went back to France.—In August, Mascarene gave an official certificate to the three brothers Mius, of Poubomcoup, of their steady loyalty since the declaration of war.—In October, the president proposed to check the Indian fur trade. This was not agreed to by the council; but it was resolved that "no powder, ball, strouds or blancoating" (blankets) "be disposed to the French inhabitants, and that" "former orders prohibiting all trade with the enemy be enfor-" "ced."

October 28, monday. Advices were read in council of de Loutre's arrival at Chignecto, from Quebec, with a shallop, bringing presents for the Indians. Nov. 4, some of the depu-

ties from Chignecto appeared before the president in council. By their admissions it appears that de Loutre lodged in the *presbytère*, (parsonage), said mass, and the inhabitants attended him. Being blamed for this, they pleaded their being long without a priest, and asked leave to send for one to Canada, which was not agreed to. They said they knew not the quantity of the presents sent to the Indians. They were brought in a vessel to Gaspé, and one Boutiller, of that place, brought them thence in a small vessel to Chignecto, and if they were landed it was on that side next to baie Verte. They also said that they met some cape Sable Indians, who had two barrels of powder, four bags of shot, and a bale of blankets.

In November, president Mascarene gave directions to the deputies of Chignecto to report to him every six weeks, not to suffer the landing of either provisions or ammunition there, that might be of service to the enemy,—"to give advice of" "the ammunition that may have been left by M. le Loutre at" "Chicanecto, and in whose keeping—not to suffer any stran-" "ger among you of those who have not taken the oath of" "fidelity to his Britannic Majesty." The Indians of Nova Scotia, in August, 1745, indicated a wish to make peace, but were so far undecided that they could not answer for themselves, if a French naval force should come to the bason of Port Royal; and they induced Pierre Landry to write a letter to the president on their behalf. His answer was, that they were not to expect peace unless they could give a satisfactory security that it should be lasting; and it was resolved that no vessel should be allowed to go up the bay, until the Indians be brought to terms that shall be satisfactory.—At this time some families came to Mines from Louisbourg to settle, and five deserters from Warren's squadron came there also, whom Mascarene ordered back, giving them a letter begging for their pardon. In this autumn a party of eleven or twelve Indians stopped the persons who were bringing live stock from Mines for the garrison of Annapolis. Mascarene wrote to the deputies that this was no small surprise to him, considering the force and numbers of the inhabitants, and attributes it to their disloyalty—speaks of their pretended cloak

of fear and their passive obedience to the enemy, and of the deference and submissiveness they shew towards monsieur de Loutre, who, from being the missionary, has become the general of the Indians at war with the king; and he writes to John Teriot, Chignecto, 29 Oct'r.: "I think you might also" "have acquainted me of the quantity of ammunition and" "presents that mons'r. de Loutre and that shallop had" "brought for the Indians." It could not have been done so secretly, he adds, but that some of them would know the particulars. The chiefs of the Micmacs addressed a letter concerning peace to Mascarene, without signatures. He recommends them to send delegates to the government at Louisbourg. A report having been spread that Pierre Alain had offered to go against the Indians, Mascarene wrote to the deputies of Grand pré, informing them that this story was a malicious falsehood.

[21 Dec., 1745. There being no Judge of Probate appointed, on the petition of Edward How, esquire, stating that he is not only the nighest of kin, but the greatest creditor of lieutenant Thomas Armstrong, deceased, the president and council grant administration to him.]

Mascarene, writing to the duke of Newcastle, 9 December, 1745, says his object has been to keep the French inhabitants from joining the enemy, and getting their aid in bringing timber, &c., to repair the Fort; but he fears if a French fleet and army should arrive, they would be led to join them. He says also this Fort makes now a pretty good appearance.—That he was not far astray as to the sentiments of the French inhabitants will be apparent from the contents of a letter from the governor and intendant at Quebec this year, as extracted from in the appendix to this chapter. This document throws the clearest light on the system pursued by the French government at Quebec, and the way in which they victimised their own colonists and the native tribes who looked up to France for protection. The double dealing and hypocrisy enjoined on the poor Acadians, and to carry on which all means were resorted to that could influence them, at this period can be very plainly seen. Threats of death—of

being hounded by the Indians, are mixed with appeals to their feelings as Frenchmen by descent; and, worst of all, the sacred influences of religion are abused for the purposes of political intrigue and ambition. The hearts of the poor French were constantly assailed on the points where all men are most susceptible—love of country, of race, of religious liberty. As to the Micmac, he was supposed to be only vulnerable, through his pocket and presents were the unfailing resource of those who desired to guide him. Active intercourse was kept up overland with Quebec, by Indian expresses, who did not always seem to hurry themselves. Thus letters from de Loutre and Germain of 27 Dec., 1745, and 30 Jan., 1746, were only received at Quebec on the 28 March. De Loutre's Indians had intercepted letters from the government of Louisbourg to that of Annapolis.

APPENDIX TO CHAPTER VI.

[10 *vol. New York Documents, (Dr. O'Callaghan's), pp.* 4, 5.]

(From the letter of Messrs. Beaubarnois & Hocquart to the count de Maurepas.)

Quebec, 12 September, 1745.

"The English being now masters of Isle Royale, will become still more jealous, and more careful than ever to secure Acadia to themselves. That beautiful and fertile province is essential to the maintenance of their new conquest, in which the English have not made any establishment of importance since the peace. 'Twas only last fall, and particularly during the present autumn, that they have put Port Royal in a state of defence, and have a garrison of about 300 men in it. All the rest of Acadia is inhabited exclusively by French people; and according to the information we have received of their numbers, there may be about 2500 men capable of bearing arms at Beaubassin, Minas and Port Royal, the three most populous places.

"As regards the disposition of the inhabitants towards us; all, with the exception of a very small portion, are desirous of returning under the French dominion. Sieur Marin, and the officers of his detachment, as well as the missionaries, have assured us of this; they will not hesitate to take up arms as soon as they see themselves at liberty to do so; that is, as soon as we shall become masters of Port Royal, or they have powder and other munitions of war, and will be backed by some sedentary troops for their protection against the resentment of the English. If, notwithstanding this preliminary, any settlers should still be found to

hesitate declaring themselves, all difficulties would be overcome by the employment of menaces and force. The reduction of Louisbourg has, meanwhile, disconcerted them. M. Marin has reported to us, that the day he left Port Royal all the inhabitants were overpowered with grief. This arose only from their apprehension of remaining at the disposition of the enemy—of losing their property, and of being deprived of their missionaries. The English might probably have recourse to such policy, or at least adopt measures to keep them in a strict and severe subjection. They will not experience any great difficulty in that, and consequently will not have to observe any delicacy, because the supplies of powder and lead, and other munitions, which the Acadians and Micmacs of the country were in the habit of drawing from Louisbourg, will be no longer forthcoming. These Indians, irreconcilable enemies of the English, cannot have any other place of refuge than Canada, or Ristigouche and Miramichi. This is what we have now to fear, and, with a view to retain them, have thought of remedying it by transmitting to Miramichi some powder and lead, to which we add some provisions and other supplies.

"We have just explained the conduct the English will probably observe towards the Acadians. We cannot imagine that they could entertain the idea of removing those people, in order to substitute Englishmen in their stead, unless the desertion of the Indians would embolden them to adopt such a course, utterly inhuman as it may be. The evacuation exacted and agreed to by the capitulation of Louisbourg, excites a prejudice which must increase our distrust. The Acadians have not extended their plantations since they have come under English dominion; their houses are wretched wooden boxes, without conveniences and without ornaments, and scarcely containing the most necessary furniture; but they are extremely covetous of specie. Since the settlement of Isle Royale, they have drawn from Louisbourg, by means of their trade in cattle, and all the other provisions, almost all the specie the King annually sent out; it never makes its appearance again—they are particularly careful to conceal it. What object they can have, except to secure for themselves a resource for an evil day? Already many of them have caused inquiries to be made whether they could find lands here to settle on, and whether they would be admitted to enter on them. We have avoided all answer.

(Referring to Louisbourg.) "It can hardly be expected that the English will give up their conquest, unless the King have gained advantages over them in Europe, which would induce them to do so. These will have to be considerable, otherwise we do not believe that they will surrender it, unless on condition that its fortifications be razed. This clause and its execution would relieve them of all uneasiness; the battery or fort of l'ilet would have, nevertheless, to remain.

(Referring to Port Royal, Annapolis.) "The enemy will not fail to stock the place abundantly with all the stores necessary for its defence and to strengthen its garrison. This consisted of 300 men when Sieur Marin left the place in the beginning of June. There were then six 24-pounders pointed towards the river, one 12 inch mortar, and 30 pieces of cannon on the rampart. The fort is a square, with four Bastions, being about 180 toises (1080 feet) from one point of the bastion to the other. The wall is of earth, faced with squared timbers 10 a 12 inches in width and 18 feet long, joined together and set up perpendicularly; the embrazures of the parapets are very open; the top of the parapets is set off with round sticks, 12 inches in diameter, fastened with ope ends, these sticks being

so disposed as to admit of being loosened and slipped over the talus of the parapet, with a view to break the ladders which would be employed in scaling. The ditch may be 10 *a* 12 toises (60 *a* 72 feet) in width, and 5 or 6 in depth; in its centre is a cunette, (a wet ditch in the middle of a dry one), with a palisade; the covert way is nothing else than the counterscarp. The glacis, with well defined, salient and entering angles, may be 15 toises. The outworks consist of the three block-houses, one situated between the mouth of the Little river and the fort, and defends the plain; the other two, E. N. E. of said fort, defends the approach of the Lower town. 'Tis to be observed, that during Mr. Marin's sojourn, all the houses in the Lower town were abandoned. The most part belong to the officers of the garrison. The English, however, have a large frame house, (maison de colombage), there to lodge their Indian allies; this house was defended by four guns.

"The English were informed in the month of April, by three Indians, whom one of their privateers, sailing under French colors, had surprised at cape Sable, that Mr. Duvivier was expected at the end of May with several men of war. It was in consequence of this advice, or even of previous information, that Mr. Mascarin, commandant of Port Royal, redoubled his precautions in order to place himself in a state of defence. You will see, my lord, by the annexed journal, that Mr. Mascarin had commenced on the 12th or 15th of May to have the North side of Goat island cleared, either with a view to discover at a greater distance the ships that enter the narrow mouth of the harbor, the view of which is intercepted by trees, or rather to erect a battery on it, to defend the only ship channel between that island and the main land, and by that means prevent vessels going up as far as the Fort. 'Tis to be presumed that the English have now erected that battery, and that they will, on the receipt of the first news of preparation against Acadia, construct, perhaps, another battery at the entrance of the Strait. Should they erect one on Goat island, it will not prevent ships entering and anchoring in the Basin, nor troops landing on the South shore, opposite the anchorage ground. 'Twill be very easy to render the road from that point to Port Royal passable for the artillery destined for the attack; the distance is about 3 leagues. They urge an expedition to be sent out to retake Louisbourg and conquer Acadie, at least a military settlement at Spaniard's Bay, (Sydney, C. B.) 10 men of war, 2500 regular soldiers, &c., are proposed.

"Port Royal is, in truth, advantageously situated for the security of the ships which will come to fish on the coasts, but the entrance to the basin is narrow, and the currents there are strong: besides, the fishery is much more abundant on the East coast, which has three or four very excellent harbors capable of accommodating the largest sized vessels, viz't., LaHêve, Chibouctou, and Port la Tour, (Barrington.) This coast is not settled; at Mirligueche, a small harbor 5 leagues east of LaHêve, are only 8 settlers, among the rest are Paul Guidry, alias Grivois, jovial or jolly, a good coast pilot. Again, West of LaHêve, at the place called the Little river, are two more settlers. Germain Lejeune, one of these, is intimately acquainted with the coast. The man named Boutin, and his children, live three leagues east of the entrance of Chibouctou. The attachment of these people to France can be relied on. (They suggest that if Annapolis should prove too well defended, then to settle LaHêve and Chibouctou.)

"The English do not dry any fish on the East coast of Acadia since the war, through fear of being surprised there and killed by the Micmacs. These Indians

rove along that coast from spring to autumn, in quest of a livelihood. Lately a boat belonging to an English merchantman, having landed at LaHêve for wood and water, these Indians killed 7 of the crew, and brought their scalps to sieur Marin; they can be depended upon to pursue the same course as long as means will be found to furnish them with arms, powder and ball. This is also the opinion of M. Loutre, their missionary at Chibenacadie, who arrived at Quebec on the 14th of September. He brought with him five of these Micmacs, deputies from that nation. We will report to you, my lord, their resolution, and what will take place between us. This missionary has laid before us, on his arrival, the letter Sr. Dailleboust wrote him on the 22nd of July, indorsed on which is a sort of passport from generals Warren and Pepperell, enjoining him to repair to Louisbourg, in default whereof his life is threatened. The missionary has paid no attention either to the letter or passport, and we are about sending him back to his mission.

" We have held a council with the deputies of sieur le Loutre's villages.

" The attachment of these Indians may be depended on. We send by sea, as far as Miramichi, 4000 lbs. of powder, and lead in proportion, and some cloth to cover them. It were to be wished that we had been in a condition to supply them with more ammunition, but in our present condition 'twould not be prudent to strip ourselves. We made up the deficiency with 2000 li. in specie, which we have entrusted to M. Loutre, for the purpose of relieving their more urgent wants."

21st Sept. M. Loutre left with his Indians. He is to go to the river St. John, to Beaubassin, and thence proceed to his mission. (He was furnished with signals to communicate with any French men-of-war on the East coast of Acadia.)

No. of Micmacs in Acadie.

In Acadia proper, belonging to sieur Loutre's mission,	200
Ile Royale, M. Maillard, missionary, (they will have removed to Miramichi and Ristigouche),	80
Miramichi mission, father LaCorne, missionary,	195
Ristigouche mission, father L'estage, missionary,	60
Total,	535

27 September. M. Germain, missionary on the lower part of the river Sr. John, arrived here yesterday with the chief and 24 Indians of his mission, the most of whom served in Mr. Marin's party. The missionary adds that the English have permitted Mr. Maillard, priest and missionary at Isle Royale, to remain at St. Peter's in charge of the inhabitants of that place who remained after having taken the oath of fidelity, the same as the Acadians did formerly. The Micmac Indians belonging to this mission, numbering 80 families, are on their way to Quebec.

CHAPTER VII.

1746. During this winter, the Indians, although they had made some movements towards peace with the English, appeared still very hostile, and used all their exertions to intercept the communications between Annapolis and Louisbourg. The latter place had now become the military head-quarters of the British. In the autumn of 1745, two regiments of foot, viz., Fuller's and Warburton's, and three companies of Frampton's regiment, arriving near the North American coast late in the season, from caution they put into some port in Virginia, to await the spring season. They did not reach Louisbourg until the 24 May, 1746, when they relieved the New Englanders, in garrison there since the surrender of the place in June previous, who were about 1500 in number. [*Douglass*, 343.]

Mascarene blamed de Loutre for the troubles of the country, charging him with bringing on the first attack of Annapolis by the Indians, and thus exciting the New England people to besiege and take Louisbourg, which, he says, would not have been dreamed of, but for the attacks on the Fort. He also attributes to the same influence the Indians being still at war.—He desired the protection of a ship of war to defend the harbor, and to convey supplies from New England, and a tender to carry intelligence and keep up obedience among the people of the bay. On this subject he wrote to the duke of Newcastle in January. One of the incessant subjects of dissatisfaction to the government of Annapolis had long been that the French inhabitants of Mines and Chignecto were accustomed to supply Louisbourg with cattle and provisions,

by vessels taking them on board at baie Verte. Although this was forbidden by orders from the governor and council, yet one can hardly blame the farmers for seeking the only market where their produce could be disposed of to advantage. We have seen that the silver coin current in the province was all French, and it must have come in this way. Neither the limited demand at the garrison of Annapolis, which, of course, was chiefly supplied from the farms on the river, nor the more distant sale at Boston, could have compensated for shutting off this traffic. We may therefore fairly conclude that self-preservation would go far to justify the people of Mines and Beaubassin in adhering to this trade, notwithstanding any official prohibition; and we may also infer that the governor and authorities at the Fort, while, as a point of honor, they felt bound to object to it, were nevertheless not very deeply aggrieved at the existence of an intercourse which brought specie and goods into the country, and favored its wealth and improvement. After Louisbourg however became an English possession, it seems that the French inhabitants were actuated by their hostile feelings to run counter to their own interests so far, that they could not be induced to send any cattle or produce from Nova Scotia to Louisbourg, where, from the presence of a large garrison and squadron, the demand must have been greater than heretofore. The English colonies on the continent of course did what they could to supply the place. Mascarene wrote in January, and again in May, to the deputies of Mines and Chignecto, recommending their causing provisions to be sent; and he mentions (30 May) that three men of war, transport vessels, two additional Royal regiments, and two regiments of New Englandmen were then at Louisbourg; that the English West Indian squadron was making towards it, and that in England four men-of-war and two more regiments were getting ready to go there; and that the rebels in Scotland had been put down. This was not the only grievance he had to complain of, as he writes (18 May) to the deputies of Chignecto, expressing his surprise that they had not given him advice of the arrival of the *sieur* La Corne, (a Canadian officer), in their neighborhood, and of a person

named St. Lawrence, nor of their departure, nor of the news brought from Canada.

In June, a soldier of the garrison named L'argentière, deserted, and took the road to Mines. At the same period, the French inhabitants of the island of St. John fled from the approach of the English, and Mascarene apprehended they would come on to Nova Scotia. June 2. Anne Bourg, wife of Jacques le Blanc, called LeMaigre, asked leave to go to the river St. John, which the president refused her, conceiving it an attempt at intercourse with the enemy. In June, the Dover, capt. Collins, a British ship of war, having arrived at Annapolis, Mascarene managed to detain her for the protection of the place, which he expected would be attacked. Mascarene had, in January, issued a commission to Geo. Giddings, commander of a sloop called the "Ordnance Packett," to attend the service of the province, and to capture vessels and cargoes, &c., liable to confiscation under the Marine Treaty of London, of 1 Dec'r., 1674, &c. This vessel he employed to visit Louisbourg, and to convey provisions from Boston for the garrison; and in August to take a party of Rangers, under lt. Gorham, up the bay. He also employed the Bilander, an Ordnance vessel, to range the coast for intelligence, and to intercept the enemy. On 31 January, Marie Gautier, Pierre Gautier, and Joseph le Blanc, called le Maigre, (of Grand pré), who were detained under charges, escaped. Joseph Maletot, an English prisoner, had been ransomed from the enemy for 300 livres; and Antoine Landry gave a power of attorney to Prudent Robichaux, 3 March, 1746, to receive the amount from the governor. René Blanchard and associates had furnished the money. In April, the deputies of Annapolis river were ordered to furnish 40 men weekly to work at the wood-work of the quay at Annapolis.

The earnest exertions of the French to recover possession both of Acadie and cape Breton, led to a plan on the part of the English government to reduce Canada, and drive the French out of this continent entirely. Governor Shirley's perseverance, and the method that marked all his acts and speeches, especially on this matter, entitle him to no small commenda-

tion. The constant movements of the Canadians, with their red skin auxiliaries, upon the borders of New England, in Newfoundland, and on the coasts and waters of the peninsula and its islands, created such constant distress and loss to the northern colonies of England, that the feeling to rid themselves of such an incubus, tormenting in time of nominal peace as well as in that of avowed war, must have been very general and powerful among the Anglo-Americans. Whatever influence they could exert over their fellow-subjects in the mother country would, of course, be used to forward their aims in this respect. Accordingly we find they had so far succeeded, that in April, 1746, orders were sent from England to all the colonies North of Carolina, that each province should raise as many companies of 100 men as they could well spare, who were to be clothed, armed and paid by the British government. Under the order, Virginia raised two companies, Maryland three, Pennsylvania four, the Jerseys five, and New York fifteen, making 29 companies, who were to rendezvous at Saratoga, under Brigadier Gooch, the lieutenant governor of Virginia, and who were to be employed to conquer Crown-point and Montreal. Massachusetts enlisted twenty companies, Connecticut ten, Rhode island three and New Hampshire two, being 35 in all, who were to be joined by a squadron and land forces from England, to undertake the reduction of Quebec. Thus the colonial troops amounted to 6400 men. After the orders had been sent, many transport ships were engaged, and several regiments of British infantry were sent to Portsmouth, to embark, as was supposed, for America, under general St. Clair, and to be convoyed by a strong squadron, commanded by admiral Lestock. These troops were once or twice embarked and relanded, and at last, instead of going to America, as planned, they were sent on an expedition to port *L'Orient*, in France, which proved fruitless. As the possession of Louisbourg afforded the means of reuniting the English forces with the colonial—of refreshing and resting their people on the direct way to the place they were to attack, and as the French had not been able to get supplies of arms, ammunition or stores to Canada of any great magnitude, especially

after they lost Louisbourg, the facilities for the conquest of Quebec appeared to be greater than they had ever been. The men enlisted in the colonies were not disbanded, and the impression was general that the project of 1746 was only postponed until 1747. Time passed on, and no further step was taken until October, 1747, when orders were sent to America to discharge all these colonial companies. The duke of Newcastle, in his letter to admiral Knowles of 30 May, 1747, says that rear admiral Warren, upon his arrival in England in December, 1746, had stated that in his opinion, and that of general Shirley, a great force would be requisite to attack Canada, on which the design was laid aside, and the force under lieut. general St. Clair would not be sent out. He directs Philipps', Shirley's and Pepperell's regiments to be completed from the enlisted American companies. Philipps is too old and infirm to go out to his regiment and government. Warren gave him a paper, expressing his opinion in relation to the fortifying Chebucto, and other places on that coast. He had transmitted it to Shirley, "though that" "design must be suspended for the present."

In May, 1746, Warren and Pepperell visited Boston, for the purpose of holding a general consultation as to future warlike measures. On the 24 June, the general court (house of assembly) of Massachusetts, being then sitting, invited Warren, Pepperell and Waldo into the council chamber, and honored them with a gratulatory address. June 28, at the close of this session, Shirley used the phrase "*Canada est delenda*"— "Canada is to be destroyed."

In July, Mascarene issued an order, that in case of soldiers deserting, three guns should be fired from the bastion. The inhabitants were ordered, in such cases, to collect, and guard the roads, and to arrest any soldier unless he was with an officer or with a serjeant, holding a passport signed by the governor. He sent the schooner Tame, Abram Morse, commander, with despatches to Louisbourg. In August he sent the Ordnance packet up the bay. Mr. How, lt. Jos. Goreham, and a party of soldiers, were on board. The object was to obtain intelligence as to the movements of the French. In

September he sent the same vessel out to cruise in the bay of Fundy, towards St. John's river or Grand Manan, to capture and destroy the enemy's vessels, and convoy any English vessel running to Annapolis. He gave him a serjeant and ten men to assist, and directions as to signals by firing.

Meanwhile the French and Canadians were not idle. Stimulated by the loss of cape Breton, and by fears for the safety of Canada, they were active in every direction. On May 30, the Abenaquis Indians, including those of Acadia and those who were domiciliated, numbering about three hundred, having been equipped, and having repaired to St. Michel, near Quebec, took their departure in bark canoes, under the command of lieutenant St. Pierre. They were to go by the way of St. John's river to Beaubassin, (now Cumberland), to wait there for the detachment of Frenchmen. They arrived at Beaubassin on 21 June. M. Marin arrived at baie Verte with the Micmacs on 17 June, n. s. [10 *New York Documents*, 45, 51.] The French frigate *l'Aurore*, commander *du Vignan*, and *le Castor*, commander de *Saillies*, left Brest on the 9 April, with orders to await the fleet then in preparation. On the 12 June, *l'Aurore* arrived at Chibouctou. M. de Loutre was with them. On their voyage the *Aurore* captured six small craft, three having cattle on board, and the others provisions, part of which he gave to M. le Loutre, who asked them for his Indians. The *Castor* entered Chibouctou 9 July, with two prizes laden with cattle and codfish, and left it on 29 July to cruise, and then to return to France. However, the *Castor* captured an English snow, commanded by a lieutenant of the navy, carrying 10 guns, 12 swivels, and 75 men, and returned with her prize to Chibouctou on the 1st August. Three English ships, of 44, 20, and 10 guns, respectively, had at this time anchored at *port la Joie*, in the island of St. John, (now Charlottetown), 2 June, 1746. M. de Ramezay, who had been sent to Beaubassin in command of 600 Canadians, wrote in July that he had just received a letter from M. de Loutre, who proposed to him, on the part of M. du Vignan, who commanded the two frigates at Chibouctou, to lay siege to Port Royal in case the fleet did not arrive in the course of this month,

(July.) But de Ramezay having orders to divide his detachment into two parts; on his arrival at Beaubassin, he called his officers together to confer with them as to the course that was best, to accept M. du Vignan's proposal, or to march half the detachment towards Canso. They decided to march the entire party, including French and Indians, to Port Royal. De Ramezay set to work at once sending munitions and provisions to Beaubassin, in order to transfer them thence to Minas, and he sent to Quebec to ask for a mortar and some shells for the proposed siege. The information of the arrival of the frigates in June was sent in a letter from father Germain. 26 July, du Vignan wrote from Chibouctou to de Ramezay, that his object, in speaking to M. de Loutre about Port Royal, was merely to learn the state of that Fort, &c., and that neither his orders nor his condition would allow him to attempt the siege.

A party of Micmacs set out in boats from *baie Verte* 21 July for *port la Joie*, under command of ensign M. Croisille de Montesson. They were 200 in number. There they encountered 40 or 50 men, thirty of whom were soldiers, who had gone on shore. A few of the English escaped by swimming, but the most were taken prisoners, and sent afterwards to Quebec; one, if not more, killed. At this time there were in the port one English frigate of 24 guns, and a transport of 700 tons burthen, in which remained about 200 men. As the English officers and soldiers were about to land to place a guard there, the French officer deemed the occasion favorable to master the two vessels, but the Indians were beyond his control, and would not remain. They had killed a quantity of oxen and other cattle that the English kept in a park on shore for their supply of provisions. Meanwhile apprehensions began to be felt in Canada that the English might invade that conntry, and, 1 August, an order was sent to recall part of the Canadians and Indians, the number of whom, at first, united, is stated by Mascarene, as reported, to be 2000 men, with 30 or 40 officers; and by Douglas, as about 1600 men, when they went to Mines. The order stated "that M. de" "Ramezay might leave at most in Acadie 200 or 300 French-"

"men, and the Micmac Indians for the protection of the"
"Acadians, and return here either by sea or by the river"
"St. John, with the remainder of our Frenchmen and all our"
"domiciliated Indians, including those of the river St. John"
"and Panaouamske." Letters to this effect were sent to father Germain, then at Beaubassin, and to the commandant of the expected French fleet. On further intelligence received, a second express was sent to Acadie, with similar orders, and even it was suggested that, if possible to spare them, all the detachments should return. On the 9 August, a brigantine called *La petite Marguerite*, commanded by the *sieur* Cery, was dispatched from Canada to *baie Verte* with arms, ammunition and provisions for the French troops, and letters, one to the commander of the French fleet to dispose of the forces in Acadie, the other to de Ramezay, that he is in no condition to besiege Port Royal with the help of the two frigates, and that they cannot spare him the mortar he asked for. The vessel brought 250 quintal of biscuit, 100 bbls. flour, 200 quintals vegetables, &c., 30 bbls. pork. —— 1000 lbs. powder, 2000 lbs. ball, 200 Liege muskets, and other small stores. 11 August, M. du Vignan being at the end of his provisions, resolved to carry the Aurore and the Castor back to France, and to leave his provisions in charge of de Ramezay. 14 August, de Ramezay writes to Canada that *sieur* de Gay, a lieutenant of the frigate Aurore, had come to Minas some days before M. du Vignan's departure, to request him to take charge of 168 prisoners, who were to be sent to Quebec. He resolved, on this, to send M. Repentigny, with 150 Indians, to Chibouctou, to guard the prisoners, and du Vignan sailed from Chibouctou with the two frigates on the 12 August. Three Irish soldiers deserted from Port Royal to de Ramezay on 9 August. They said there were 30 other Irish who wished to do the same. They reported the garrison to be 300 men and 12 or 15 officers; that there was one year's provisions in the Fort—but very little firewood, and that there was a frigate of 40 guns stationed off Goat island. Major de la Naudière left Minas 21st August, and arrived in Canada 5 Sept'r. He brought a letter from de Ramezay, who was then about removing to

Beaubassin, and sending for the prisoners from Chibouctou, being in want of cash and provisions, and the inhabitants refusing to take notes. It was intended that Coulon, with 300 Canadians, should winter in Acadie. 21 Aug't. De Ramezay wrote that all his detachment had gone to Minas. 27 Aug't., de Ramezay received 16 prisoners from Chibouctou. Four pilots and four other inhabitants of Annapolis river went off to the enemy at Mines. They were reported, and such of them as had property were declared to have forfeited it. Among them was Nicolas Gautier, who owned a vessel, cattle, &c., which were seized. (Much of the preceding information respecting the Canadians' and Indians' movements in Acadie is from 10 N. York Colonial Documents, p. 54 to 62.)

We will now turn our attention to the fleet from France, which was not only intended to recapture Louisbourg, but also Nova Scotia, and to carry destruction to all the settlements and towns of New England. This fleet was under the command of M. de Rochefoucauld, *duc d'Anville*, who was born in the first or second year of the century, and therefore about 45 years of age. It consisted of eleven ships of the line, twenty frigates, and thirty-four other vessels being transports, fire ships, &c. The soldiers on board this fleet were 3150 in number, and a great abundance of arms, ammunition and provisions were sent with them. The instructions to the duke were to proceed to Louisbourg and recapture it, and then to dismantle it. He was next to go to Annapolis, take it, and leave a garrison in it; thence he was to go to Boston, which he was to burn, and afterwards to annoy and distress the English on the American coast; and finally to pay a visit to the English sugar islands in the West Indies.

List of the squadron under the duke d'Anville, lieutenant general of the French naval forces, which sailed from Rochelle the 22d of June, n. s.

Ships.	*Guns.*	*Men.*	
Northumberland,	60	600	
Le Trident,	64	500	
L'Ardent,	64	500	
Le Mars,	64	500	
L'Alcide,	64	500	
Le Carillon,	60	500	
Le Diamant,	50	400	
Le Borée,	50	400	
Le Tigre,	60	550	
Le Leopard,	60	500	
La Renommée,	60	400	
La Megére,	30	270	
L'Argonaute,	26	270	
La Parfaite,	8	100	Fire ships
La Perle,	8	100	Fire ships
La Palme,	10	70	
Le petit Mercure,	10	70	
Le Mercure,	10	70	
Le Girous,	16	140	
Le prince d'Orange,	26	200	
(Another of)	24	150	

Besides twenty other frigates and privateers, from ten to twenty-four guns, and several transport ships, having on board the regiment of Ponthieus.

2 battalion,	Men, 1350
The battalion, militia of Saumur,	600
" " " " Fontenay le Comte,	600
" " marines,	600
	3150

The land forces are commanded by M. Pommeril, brigadier general.—*American Magazine for* 1746, *p.* 430.—*From the London Gazette, June* 24.

This expedition sailed from Rochelle 22 June, 1746, n. s. They met with contrary winds and storms, particularly a storm September 2d, near the isle of Sable, when four ships of the line and a transport were left in distress, and not afterwards heard from, and the squadron scattered and dispersed. The Mars and Alcide, 64-gun ships, bore off for the West Indies; and the Ardent, 64, put back on the 15 Sept'r. for Brest. The Ardent was burnt and the Mars captured on the French coast by the English ships Nottingham and Exeter. One of the French fleet arrived at Beaver harbour about the beginning of September. On the 10 September, the duke d'Anville arrived at Chibouctou, in Acadie, in the Northumberland with the Renommée, and three or four transports. Here he found only one of his fleet, which had got in three days before him. (He had some time before detached M. Conflans with three ships of the line and one frigate, to convoy the trade to Hispaniola, and then rejoin the fleet. They called at Chibouctou, as ordered, but eventually sailed for France, without meeting with the rest of the fleet.) Sept'r. 16, three transports arrived at Chibouctou, and on that day the duke D'anville died, whether of apoplexy, sickness or poison, different statements existed. He was buried on a small island at the entrance of the harbor next day, said to be George's island. In the afternoon of the same day the vice admiral d'Estournelle, with three ships of the line, come in to Chibouctou. Mons'r. de la Jonquière, the governor of Canada, was on board of the Northumberland, and had been declared a *Chef d Escadre* after the fleet left France, and was then next in command to the vice admiral d'Estournelle.

In a council of war, held on board the Trident, 18 September, the vice admiral proposed that they should return to France. They were deprived of four of their ships of the line, viz't., the Ardent, Caribou, Mars, and Alcide, and the Argonaute, fire-ship. They had no news of Conflans and his ships; so that only seven ships of importance remained. Many of the land forces were in the missing ships, and those in the harbor were in a sickly state. From 1200 to 1300 of the French are said to have died at sea, and 1130 at Chibouctou.

They suffered under scorbutic fever and dysentery, and the Indians caught the disease from them and died in numbers. d'Estournelle's proposition was debated for seven or eight hours. Jonquière and all the land and sea officers were opposed to it, thinking themselves bound in honor to make some attack upon the English, and supposing they could at least conquer Annapolis and recover Nova Scotia, and then winter at Casco bay or return to France. The sick, by the supply of fresh provisions from the Acadians, were recovering. The vice admiral not prevailing in his motion, became agitated, fevered and delirious, and was next morning found in his apartment fallen on his sword, and died within twenty-four hours afterwards. Some of the soldiers who had just arrived, now landed, and encamped on shore. The command devolved on M. la Jonquière. Sept'r. 23, nineteen of the Micmacs who were at the affair at port la Joie, got to Quebec, with one prisoner and some scalps. Sept'r. 24, M. St. Pierre got to Quebec, with 150 Indians, Abenaquis, &c., On 3 October, the Renommée sailed for Quebec, with four vessels laden with stores, and a light brigantine was sent to France with despatches. On the 9 and 10, troops were embarked. On the 11th, a flag of truce from Louisbourg brought in forty French prisoners—a council of war was held, and that night all the rest of the troops and all the tents were embarked. On the 12th, the wind was too fresh for sailing. This day, la Parfaite, a prize snow from Carolina—the Antigua prize, and some fishing schooners, were burned. On the morning of the 13th, the whole squadron, consisting of 30 ships, 2 snows, 2 brigs, 1 dogger, 4 schooners and 3 sloops, sailed from Chibouctou. Fifty people from Menis were said to be on board, intended as pilots to Annapolis. On the 14th, several small vessels left the squadron for France. There were but seven vessels of the line remaining, and five of the ships were used as hospitals, there being now not above 1000 men of the army in an efficient condition. The squadron bore for cape Sable, with the design of attacking Annapolis; but when near the cape, meeting severe storms, they consulted on their position, abandoned the enterprize, and landed the French pilots. Two

of the ships are said to have gone as far as Annapolis bason, but to have withdrawn on finding men-of-war there. On 27 October there had been got ready at Quebec 7 vessels, with 6000 quintals flour, and quantities of codfish, oats and iron, to be sent to the fleet at Chibouctou; and ensign Beaujeu de Villemonde was sent by the way of the river St. John with advice to the commander of the fleet. The chevalier de Beauharnois left Chibouctou 2nd October, and got to Quebec 4th November.

To return to de Ramezay and his Canadians. They were on their return to Canada, when d'Anville's fleet arrived at Chibouctou, and an express was sent to recal them. M. Bigot, intendant of the fleet, wrote to de Loutre from Chibouctou 20 Sept'r. to come there. About four hundred French returned with de Ramezay, Coulon and LaCorne, three captains of the marine, and chevaliers of St. Louis. About the end of September de Ramezay came before Annapolis with a party of about 700 men. He made no assault on the place, but encamped at some distance. At that time Mascarene had a reinforcement of 250 men, which Shirley had sent him. He had also the Chester man-of-war, of fifty guns—the Shirley frigate, of 20 guns, and the Ordnance schooner, in the bason of Annapolis. In October, de Ramezay having advice of the withdrawal of the French squadron from this country, broke up his camp and removed to Mines, proposing to pass the winter there. It does not seem, however, that they remained there long, but withdrew to Chignecto. The presence of this formidable fleet was calculated to agitate and alarm all the English colonies, especially those of New England. Boston was reinforced in consequence by 6400 militia from the interior of the province of Massachusetts; and when the fact was known that this mighty armament, intended to destroy the British power in these regions, had been dispersed and overwhelmed by storms, sickness, and multiplied disasters, so that it not only failed to accomplish any part of the designs entertained by the French, but that hardly a ship returned to Europe, the joy and gratitude to God felt and expressed in New England was almost unbounded. Sermons were preach-

ed and printed on this subject, and troops were voted to protect Nova Scotia.

We will turn our attention to the affairs of Louisbourg in this year, 1746. On the 21 April, the two regular regiments (1219 men) arrived from Virginia to relieve the garrison, under convoy of the Fowey, Dover and Torrington; and on 8 May, admiral Townsend, with three ships of war, the Kingston, Pembroke and Kinsale, and two store ships from England. On the 19 May, Warren addressed the American troops drawn up on parade, in a speech, (see appendix to this chapter.) On 23 May, admiral Knowles, his successor in the government, arrived with the Norwich and Canterbury. 2 June. Warren tells the duke that "the American officers are a good deal" "chagrined, and indeed so I hear are the colonies in general" "to which they belong, because they have not been consider-" "ed in the promotion of officers made to the two American" "regiments." He says it has lessened the influence of himself and Pepperell with them. He says also "We have" "buried near 2000 men since we have been in possession of" "this place." Admiral Knowles was, from the first, dissatisfied with Louisbourg. He says "he cannot think it will" "answer the expence that must be laid out, if we keep it." "The fortifications are badly designed, and worse executed." "Unless the climate could be changed, it is impossible to" "make works durable. The frosts begin to cease about the" "middle of May, which are succeeded by fogs. These last" "to the end of July or beginning of August, with the inter-" "mission, perhaps, of one or two fair days in a fortnight." "The cost of fuel last year was £6000, notwithstanding the" "number of houses that was pulled down and burnt." He had granted the inhabitants of the island of St. John leave to remain for the present. It would cost £6000 to £8000 to remove them, "as they are poor, miserable, inoffensive peo-" "ple; and as I have hostages in my possession, there is no" "danger to be apprehended from them." But two fishermen are settled there as yet, "and those rather out of restraint" "than choice. I having forbid them to sell rum, so that this" "place is not likely to be inhabited soon by any other than"

" the king's troops, (unless rum sellers.) Indeed the land "
" can never be an encouragement, it is so miserably barren, "
" the whole island being rocks, swamps, morasse or lakes, so "
" that it never can produce herbage for the support of cattle, "
" much less grain," &c. Speaks of a ration of rum and spruce beer. " The water is bad, and causes fluxes." In July he says, " They have scarce two months in the year for the "
cement to dry in," and reasons thence against fortifying. He depreciates everything and everybody. Careening cannot be done only in six weeks of the year. " As to the island being "
" ever planted by settlers in it, 'tis impossible it should, for it "
" is but here and there in the compass of many leagues that "
" an acre of tolerable ground is to be found; nor can I "
" believe the New England people will be brought to come "
" here, but for their present gains, for every one I found "
" here, from the generals down to the corporals, were sellers "
" of rum." He calls the New England soldiers lazy, dirty and obstinate—rejoices at getting rid of them, and pities Warren, who had to deal with them. The Indian fur trade he calls chimerical. There is a great deal more in his letters to shew a prejudice against the place, and a manifest desire to underrate the value of its conquest. There had been anger between him and Warren on a point of duty. Warren says their friendship was a little interrupted by Knowles resenting too warmly his taking the Superbe from him, upon the loss of the Weymouth at Antigua. It seems also that the weather of our Northern region had impaired his health, and the doctors gave him no hope of recovery, unless he went to a warm climate, and he asked to be sent to capture St. Lucie, with a squadron and one regiment taken from Louisbourg; and his dislike to the Boston people seems to have brought on a serious riot there in 1748, on occasion of impressment for seamen. In reading his correspondence, we feel as if we had got to the fountain head of all the dismal misrepresentations of Nova Scotia and Cape Breton, that were so reiterated and believed in during the latter part of the 18th century and the first part of the 19th, when our year was said to consist of 9 months of winter and 3 months of fog. It is surprising to

read a picture of climate so opposite to that given by the French governors and adventurers at an earlier date. But when we consider that Mr. Knowles arrived at Louisbourg in the last week of May, and without passing beyond its harbor, undertook, in June and July, already to certify to the seasons all the year round, the whole lands and character of the island, &c., and find his disparaging remarks increasing in intensity in 1746 and 1747, founded only on his personal feelings and views in the little port of Louisbourg, we can hardly adopt his conclusions as well founded. On the 20 Jan'y. 1746–7, he tells the duke of Newcastle that many of the troops have been frozen to death, "and the sentries, though relieved every half hour, " "frequently lose their toes and fingers. Some have lost " "their limbs by mortification in a few hours. There is no " "such thing as using any kind of exercise to keep themselves " "warm, the snow in many places laying 10, 12 and 16 feet " "deep, and when it ceases snowing the whole island is cover- " "ed with a sheet of ice. Nothing is more common than for " "one guard to dig the other out of the guard-room before " "they can relieve them, and so by the rest of the officers " "and soldiers out of their several quarters, the drift snow " "sometimes covering the houses entirely."—"There is not " "a single person yet come to settle and fish here."—Our " "miseries and distresses, occasioned by the severity of the " "weather, I really want words to describe. Nature seems " "never to have designed this a place of residence for man, " "for with the poet we may justly say:"

> "Here elements have lost their uses."
> "Air ripens not, nor earth produces."

"The severity of the winters, and the want and misery I " "foresee people in these parts must be exposed to, makes " "me despair of any enterprize succeeding in Acadia or Nova " "Scotia; and certain I am, that were we in quiet possession " "of the town of Quebec, to-morrow, it would be impossible " "to keep it, had we no other enemy than the weather to " "encounter; but I heartily hope that expedition is over. I " "persuade myself, now admiral Warren has got from amongst "

"those enterprising genius's at New England, he will think" "otherwise, and see more difficulties to surmount in conquer-" "ing Canada than they would let appear to his view whilst" "he was amongst them. He has most honorably acquired" "reputation and riches, and I wish him happily to enjoy" "them in old England; and next to the good he did his" "country by taking this place, I hope I shall add some by" "destroying it." It is probable that the unfavorable description Knowles gave of Cape Breton, contributed to its being restored to France by the treaty of 1748. Time and events have shewn how mistaken were his views on many points; but it cannot be doubted that both Nova Scotia and Cape Breton have been long retarded in their progress, owing to prejudiced and distorted views of climate, soil and capability, originating with uninformed, impatient and peevish persons, who have taken a slight view of some portion of our coast. Admiral Knowles, in a letter to the duke of Newcastle, dated 8 November, 1746, says: "Should his majesty judge it neces-" "sary to put the French inhabitants out of Nova Scotia and" "Accadie after this violation of their neutrality, I hope he'l" "do me the honor to let me have the command of the expe-" "dition." This letter does not specify what violation of neutrality it refers to.

APPENDIX TO CHAPTER VII.

(1.)

N. de la Rochefoucauld, duc 'Anville, was born in the beginning of the 18th century, and entered early in the French navy. He preserved in that severe service a taste for letters and an elegance of manners, which characterize his illustrious family. He was sent in 1746 with a fleet of 14 ships of the line to recover Louisbourg, but a violent tempest dispersed his squadron, and he died overwhelmed with grief, 16 September, 1746, at Chibouctou, where the English have since built the city of Halifax. [10 *New York Colonial Documents, p.* 73—*note of Dr. O'Callaghan.*]

(2.)

Jacques Pierre de Taffanell, marquis de la Jonquière, was born in 1686, at la Jonquière, a little property in the bishopric of Alby, in Languedoc, of a family originally from Catalonia, little favored by the gifts of fortune. An uncle of his was an inspector of the navy, which led to his entering that service in 1698. He was on some expeditions in favor of Philip 5, king of Spain, and was detached under the celebrated Claude Forbin, *chef d'escadre.* He served on land as aide major, in 1703, against the Protestants of the Cevennes. He was at the siege of Toulon in 1707—at Rio Janeiro and Chili, with Duguay Trouin, in 1711. He was made a *chevalier* of St. Louis and captain of a free company in 1731—*capitaine de vaisseau* in 1736—inspector of the navy in 1741. In February, 1744, he was flag captain to vice admiral La Bruyére de Court, in his engagement with admiral Matthews. He was with the expedition of M. the duke D'Anville in May, 1746, to recapture Louisbourg, &c. &c. He was sent out as governor general of Canada, and captured by the English on his outward voyage 3 May, 1747. He returned and took possession of his government 2 Sept'r., 1749, and died at Quebec 17 May, 1752, at the age of 67 years, and was buried at the church of the Recollets. By his marriage with mademoiselle de la Valette, he left one daughter only, who was married to the baron de Noe, of an illustrious family in Guyenne. M. de la Jonquière was well made, but low in stature, and had an imposing air. He was exceedingly brave, but uneducated, and very penurious and avaricious.

(3.)

(*From the American Magazine for* 1746, *p.* 271.)

The speech of his Excellency Peter Warren, Esq., to the American troops drawn upon the Parade at Louisbourg, May 19, 1746 :—

Gentlemen: It is with very great pleasure I have called you together at this time, because I have it now in my power to gratify you in what you have so long and earnestly wished for and desired; I mean to return to your Families and Settlements after the great fatigues you have gone through both in the Reduction and Protection of this valuable Acquisition.

Your signal services upon this Occasion shall never be forgot by me; and you may be assured I will (as indeed Sir William Pepperell and I have already done by letters from hence) in person, whenever I return to Great Britain, represent your Services, and the Importance of this Conquest to his Majesty and the Ministry in the truest Light.

By the early care taken in sending Troops, Ships of War, and Stores of all kinds, for the Protection of the Garrison, it appears that our Mother Country is thoroughly apprized of its value; and the consequence of it to the colonies you are all well acquainted with.

In your return, Governour Shirley has strongly recommended your landing in the Eastern frontier of New England, which have been annoyed by some small parties of the enemy Indians. This will give such a countenance to the Out Settlements as cannot fail of having a very good Effect; and as I am informed,

many of you have Settlements and Families upon the Frontiers, I flatter myself this will be very agreeable to you, especially as it will lay your Posterity to latest Generations under the greatest Obligations to you. Brigadier Waldo will go with you, and proper Provision of all kinds will be made for you.

I have seen with great Concern how much the Officers and Men have been Crowded in their Houses since the Arrival of the Troops to relieve them, to prevent which, as much as possible, we have kept one of the Regiments on board the Transports till we can prepare Quarters for them in the Hospital, which we are under the necessity of converting into a Barrack; when that is done, and new Barracks built, (the Materials for which are hourly expected), I hope there will be Room to give Houses to all such People as shall chuse to settle in this Place, and to allow to such of the Troops as are married proper conveniences out of the Barracks.

Any Persons who have an Inclination to remain here as Inhabitants, or to enlist into his Majesty's service, may depend on my Protection, and the former shall always be at free Liberty to leave this Place whenever they please. And as nothing can contribute more to the Welfare of any Government and People than a religious Discharge of their Duty, and a benevolent and brotherly Behaviour to each other, I, in the most earnest Manner, recommend this, Gentlemen, to you all, that as we are one People, under the best of Kings and happiest of Governments, we continue in one Mind, doing all the good Offices in our Power for each other.

On Wednesday next we shall be able to land some more of the Gibraltar Troops, who, with those that are inlisted into the American Regiments, will mount all the Guards, and give you an Opportunity to get yourselves ready to embark on board the Vessels now preparing for you.

I take this Opportunity to acquaint you that though I have received my Commission as Governour of this Garrison, and the Territories thereupon depending, and Colonel Warburton hath his as Lieutenant Governor, and as such we are both to be obey'd; but no Instructions are yet come to our Hands, but we may daily expect them, which I hope will enable us to grant the Houses and Lands of this Conquest to his Majesty's Subjects; in the Distribution of which you may depend, Gentlemen, that the greatest Regard shall be shewn to you who conquered them.

I sincerely wish you all an happy Meeting with your Families and Friends, and shall ever think it the greatest Happiness that can attend me, to have Power, equal to my Inclination, to serve every Officer and Soldier that has been in the least Degree Instrumental in the Reduction of this Garrison to his Majesty's Obedience; the securing which during the Course of a long and severe Winter, in which you suffered the greatest Hardships, and many brave Men perished, till the arrival of his Majesty's Troops, highly merits the Favour of your King and Country, which I hope will always be shewn you.

You are very happy, Gentlemen, in the Governours and Legislatures of your different Provinces, who, in all their Letters to Sir William Pepperell and myself, express the greatest Concern at the Mortality that raged among you last Winter, and that they had it not in their Power to keep their Faith with you, by relieving you so soon as they expected after the Reduction of this Place; and such indeed was their care for you, that had not the two Regiments from Gibraltar happily arrived, nor the Levies gone on as well as they have done for the American Regiments

both here and in the Colonies, yet they were determined, at any Expence, to raise Men this Spring to relieve you.

When the two American Regiments are compleat, which I hope will be soon, I think, with those from Gibraltar, who have been long used to Garrison Duty, and while we have so strong a Sea Force as those already arrived and daily expected, under the chief command of Admiral Townsend, (for while he remains I have only the Second at Sea), who has in many Instances distinguished himself in his Country's Service as a good and experienced Officer, we need not fear the Power of France; but should their Vanity lead them to make any Attack upon us, I am perswaded the same Spirit that induced you to make this Conquest will prompt you to protect it.

P. WARREN.

Louisbourg, May 19th, 1746.

(4.)

(*American Magazine for* 1746, *p.* 287.)

Extract of a Letter from Louisbourg, dated June 3, 1746:—

"Colonel Choat is returned from St. John's. The French are all ready to embark for France, and in order thereto, Ships are going from hence to receive them; they wanted to continue there on the terms granted to the Annapolis Royal French, but it was rejected.

Ships now at this Place and cruising:—Kingston, 60 guns; Pembroke, 60 guns; Chester, 50 guns; Vigilant, 64 guns; Norwich, 50 guns; Canterbury, 60 guns; Fowey, 40 guns; Dover, 40 guns; Torrington, 40 guns; Kinsale, 40 guns; Shirley, 20 guns; Albany, sloop, 12 guns.

BOSTON, Wednesday, 25.—Yesterday arrived here, in 15 days from Louisbourg, his Majesty's ship Chester, of 50 guns, capt. Spry, commander, with a blue flag at her Mizen topmast head, in which came the Honourable Admiral Warren and Sir William Pepperell, Bart. At the ship's entrance into the Harbour, they were saluted by the guns of his Majesty's ships the Bienaimé and the Fireship Louisbourg, lying in Nantasket Harbour, and came to an anchor in King Road; from thence, in the afternoon, upon notice being given 'em from Castle William, by firing some guns and hoisting the Flag that His Excellency our Governour was arrived at the Castle to receive them, they proceeded thither in the Admiral's Barge, and made his Excellency a visit, being saluted in their passage thither by the Guns of the Massachusetts Frigate and Boston Packet, and upon their landing at the Castle by the artillery there; and from thence about five o'clock they proceeded to Town with his Excellency in the Castle barge, being saluted again at their putting off, with the discharge of the Castle Guns. Upon their approach to the Town, they were, by his Excellency's order, saluted by the Town batteries, which had their colours displayed, as they were also by several vessels in the harbour. Upon their landing at the Long wharf, they were received and congratulated by the Honourable Gentlemen of his Majesty's Council and House of Representatives, and a great number of Gentlemen and Officers, and being attended by his Excellency's company of Cadets, under arms, made a handsome procession to the Council Chamber; and it being a training day for the Regiment of Militia in this town, the Regiment was drawn up under arms in King street by his Excellency's order, and the officers paid the standing salute, as he,

the Admiral and General, passed by thro' a great concourse of Spectators in the street, and at the windows and balconies, and afterwards the Regiment fired three vollies, and gave as many huzzas, and a general joy appear'd at their safe arrival here.

The same day the speaker and representatives waited on the Admiral and Pepperell, with congratulations, &c."

CHAPTER VIII.

1747. De Ramezay's intention was to winter in this province, so as to be ready to unite with the land and sea forces expected in the spring from France, with a view to the reduction of Annapolis. He withdrew from Mines to Chignecto. Mascarene considered that beyond the usual garrison of regulars at Annapolis, and the three companies of auxiliaries, volunteers from New England, he should have an additional force of one thousand men in the province, to repel the French — dislodge them from the country, and, by consuming provisions, deprive them of the facility of subsistence here. Their influence over the inhabitants would thus be lessened, and that of the English increased. The whole number he required was voted accordingly by the New England colonies, but by various accidents the Massachusetts quota of 500 was the only part that came over. They set out, the first division under captain Morris, (the ancestor of the family of that name), which arrived at Mines 13 December, 1746. When all were arrived, they did not exceed 470 men, besides officers. Having landed on the sea shore, at a distance West of Grand Pré, and no water carriage being to be had in the winter season, they marched by land thirty leagues in eight days, every man with fourteen days' provisions on his back. Major Erasmus J. Philipps and Edward How were sent to Mines to take charge of all civil affairs there, by an order dated 19 Jan'y., 1747. All salt held in Annapolis was embargoed from removal or sale. Colonel Arthur Noble came with the troops from Boston as commander, and colonel John Gorham is called commander of the

expedition. Mascarene gave written instructions to Mr. How, in which he says: "The most material points are—to keep" "troops at that place" (Mines) "till the navigation is freely" "open—to make them subsist of the produce of the country," "without burthening the inhabitants—to keep an exact" "account of what is expended that way, for wch Col. Noble" "to vouch for; what relates to Col. Waldo is to be repaid" "from New England in salt, English goods or Indian corn." "The less of the last the better for the publick service; and" "for the company of Rangers by Col. Gorham, which last is" "to be made out of the stores here—to use all possible" "means to gett a true intelligence of the number, strength," "dispositions and designs of the enemy at Chickanecto, in" "which service some of the delinquents might be employ'd," "and hopes given them, if they give a just and faithfull" "report, to regain the favor of the Gov't." The resources of the Mines district had been considered in the council, who concluded that one-tenth of the corn and cattle in that region would be sufficient to feed the troops stationed there for three months, without injury to the inhabitants. On the 29 January, o. s., (9 February, n. s.), colonel Gorham and major E. J. Philipps left Mines with a small escort, to go by land to Annapolis Royal. Colonel Noble and his 470 New England soldiers were quartered among the people of Grand Pré, being much scattered, and not apprehending any attack. We must now advert to the movements of the French party stationed at Beaubassin, (Cumberland.)

On the 8 Jan'y.. n. s., an inhabitant who arrived at Chignecto from Mines, reported to M. de Ramezay, who then commanded at Beaubassin, that the English, about 250 in number, had arrived at Grand Pré on the 24 December, (13 Dec'r., o. s.) Ramezay held a council of his officers, and they were all of opinion that they should move as soon as possible, to drive out the enemy before they should have time to establish themselves there. It was known that the English were lodged in the houses of the inhabitants, intending to fortify themselves in the spring, and believing that no attack would be made in the winter. De Ramezay was then suffering from a severe

bruise on the knee, received in his journey to Mines, [10 *New York Col. Doc's., p.* 91], and gave the command of the detachment to M. de Coulon de Villiers, who had 240 Canadians, and 60 Indians, Malecites and Micmacs, with twelve officers. Wicker-work sleighs had to be made to carry provisions and accoutrements—snow shoes collected for the whole party, and the Indians brought in, as they were all absent. These preparations were not accomplished until the 23 January, n. s., (12 Jan'y., o. s.), at noon, when the expedition set forth from Chignecto, (Cumberland.) After seventeen days march thro' snow and frost, and over the ice of rivers and streams, they reached Piziguit (now Windsor) on the 9 February, n. s., (29 Jan'y., o. s., distant about 5 leagues from Grand Pré. The English accounts of this expedition raise the number of the French and their auxiliaries to 600 or 700. There the party passed the night in the dwellings of the inhabitants, having placed guards on all the roads to prevent their progress being made known to the English. On the 10 February, (30 Jan'y,, o. s.), they learned from several inhabitants who had come from Grand Pré, (now Horton), that there were about 600 English, there, under command of colonel Noble, dispersed among the houses of the settlers, having no other lodgings to obtain—that the inhabitants had abandoned their dwellings to them, for fear of an attack by the French. They, the people of Mines, had assured the English that the French would come and attack them, but the English were incredulous, relying on the severity of the winter to prevent such an attempt. The French moved on about noon, and after marching about three leagues, (7 1-2 miles), halted.

Coulon divided his troops into ten detachments. He took with himself messieurs de Beaujeu, Delignerie, Lemercier, Lery, four cadets and seventy-five men ; and the other nine divisions were each of an officer and twenty-eight men—(total 346 men.) These were designed to assail ten houses only. The English were posted in twenty-four houses, and the French had not men enough to attack them all, but they moved against the strongest houses, where the officers lodged. At 9, P. M., the French got to the river Gaspereaux,

half a league from Grand Pré. There they passed part of the night; and having placed the officers at the head of each detachment, they began their march at 2, A. M., on the 11 February, (31 Jan'y., o. s.), with the guides to conduct each party to the house it was appointed to break into. There were twenty-five Acadians with them, who had joined them at Pesseguit and the other places they had passed through, and who had offered of their own accord to take up arms.

They arrived at Grand Pré about 3 1-2, A. M., much incommoded by the cold and by the snow. (A snow storm was then raging, which had lasted 30 hours, and covered the ground about four feet deep.) The houses were well guarded, but owing to the great darkness that prevailed, the sentries did not discover them until they got within musket range. They attacked briskly in spite of the enemy's fire, killing the centinels—rushing into the houses, and forcing their way, when necessary, by the blows of their axes—surprised the English in their beds, (Col. Noble was slain fighting in his shirt, early in the engagement), and in a very little time obtained possession of the premises they occupied, and also of a boat and of a schooner of 80 tons, that had been used to bring the effects of the English. The officers and cadets distinguished themselves in this action, and the Canadians displayed much bravery. Of the English, were killed, colonel Arthur Noble,—his brother, ensign Noble, and three other officers—lieutenants Lechmere, Jones and Pickering, (Lechmere was nephew to lord Lechmere), and 70 non-commissioned officers and privates, according to the English account; but the French stated that 140 English were killed. The English wounded were stated by the French as 38, but by the English account at 60. The French claim to have taken 54 prisoners; the English say that 69 were taken. Among the prisoners were captain Doane, lieutenant Gerrish, ensign Newton, and Mr. How, who was also wounded. The French acknowledge the loss of seven of their people killed on this occasion, two of whom were Indians; and fourteen French were wounded, among whom were messieurs de Coulon and Lusignant. Coulon's left arm was pierced by a ball, and Lusignant had his

thigh broken, and received a wound in his shoulder. They were both carried to Gaspereaux, where the surgeon had been left.

The English who were in the houses not attacked, collected to the number of 350 in a stone building, where they had cannon. This place it was intended that Coulon and his party should attempt, but his guide led him to another house. When they had gathered in this stone house, and daylight came, they made a sortie, to the number of 200 men, with a view, as the French commander La Corne thought, to take him, who was in the next house, in which, he says, he had killed colonel Noble and his brother, but they were repulsed by the French detachment. The French and English continued to fight from house to house until 11, A. M. By one of the English accounts, the sortie was made because the stone building was very small, and unfitted for defence, and they wished to regain their vessels and stores, but their want of snow shoes defeated their exertions. The residue of the English got together, but had only 8 rounds of ammunition left, and provisions enough for one day only, and no fuel, and were much disheartened. About noon, flags of truce passed, and a suspension of arms until 9 A. M. on the next day was agreed upon. Both parties were exhausted.

Coulon being then at Gaspereaux, where he had caused himself to be carried, severely wounded and having lost much blood, the command had devolved on M. La Corne; and the officer at the head of the English was captain Goldthwaite, who had been a captain in Waldo's regiment at Louisbourg. The English officers wishing to enter into terms of capitulation, La Corne wrote to Coulon, who was lodged at three quarters of a league from the French camp, informing him of the proposal, and asking his intentions. He replied verbally by M. Montigni, that he should approve of whatever Coulon and the officers with him should decide upon. La Corne assembled the officers. They all agreed to grant terms to the English, still much more numerous than the French, who had been now abandoned by the greater part of their Indian allies.

The terms of capitulation were, in effect, that the English

troops at *Grand Pré* should leave within twice 24 hours for Annapolis Royal, with the honors of war. That the English previously taken, should remain prisoners of war. That the boat and the schooner, and what the Indians had pillaged, should not be restored. That the sick and wounded English might stay, till they recovered, at the river *au Canard*. That the troops of his Britannic Majesty, then at *Grand Pré*, should not carry arms at the river *au Canard*, the *Grand Pré*, *Pesseguit*, *Copeguet*, or *Beaubassin*, for six months. (See capitulation in Appendix to this chapter.) These articles were signed by all the officers, English and French, who were on the spot, and taken by *aide-major de Lignerie* to Coulon, at Gaspereaux, who signed the next day. The weather being extremely bad on the 13 Feb'y., (n. s.,) La Corne allowed the English the next day for burying their dead, with a safeguard of two serjeants and twelve soldiers. The English officers passed the day with the French, and La Corne says that they were surprised that the Canadians, whom they previously looked on as savages, with scarcely any sentiment of humanity, should treat them so politely and with so much mildness after the action, especially the prisoners, to whom they tried to soften, as far as it was possible, the pain of their lot. Among these last was Mr. How, a member of the council of Annapolis Royal, who had come after the detachment as commissary general. He had a very dangerous wound in the left arm. La Corne had taken him with arms in his hands, in the house where colonel Noble and his brother were killed, and he was released on *parole*, on condition that the *sieur* La Croix, who had been taken carrying relief to Louisbourg during the siege, and now remained prisoner at Boston, should be sent back in exchange for him, which was faithfully done. The missionaries, *Miniac* and *de la Goudalie*, requested and obtained the liberation also of a young English officer from La Corne.

On the 14th, the English being ready to leave, they marched out by pairs, with their arms and colors, powder and ball, through a lane formed by the French, (6 officers and 60 men), detached for the purpose. The English who came out were 14 officers, 330 soldiers, besides a commissary, a clerk, a doc-

tor and a surgeon, in all 348. They were escorted as far as the last houses of the settlers, being a distance of three leagues, where provisions were given them for the journey, and twenty Acadians went with them to the nearest houses of Port Royal.

The deputies of Mines represented to the Canadian officers that they were sadly destitute of provisions, many not having means of subsisting their families or of sowing their fields, owing to the frequent visits of the French and English detachments, who had consumed almost every thing. The officers decided to return to Beaubassin, (Cumberland), where they had left de Ramezay with a small party, and were more likely to obtain supplies, having a vessel and three boats that had wintered in *baie Verte.* To take advantage of the hard snow and the ice for marching, they concluded to start with as little delay as possible. They had some small cannon with them, two were six-pounders, and three two-pounders. As they could not take them on, they broke them. They burned the gun carriages and the boat taken from the English. The prize schooner belonged to an inhabitant named G——, who had always helped the French since the war began, and his vessel was given back to him by order of de Ramezay. They left *Grand Pré* 23 February, n. s., taking with them their prisoners and four captured flags, and they arrived at Beaubassin 8 March, n. s. La Corne, major de Beaujeu, and messieurs LeMercier and Marin, met there an order from marquis de Beauharnois to go at once to Quebec; and on the 1 June, de Ramezay, with most of his detachment, took the same route, leaving Le Gardeur de Repentigny at the post with 30 Canadians and about 40 Indians. At the end of two months they were also withdrawn from Chignecto, by order from Beauharnois. The removal of the French from Chignecto was supposed to have followed their learning the destruction of la Jonquière's squadron.

A large fleet had left Rochelle in the spring, comprising seven men of war, commanded by M. de St. George, a knight of Malta, having six outward bound Indiamen under his convoy, and five other ships of war commanded by la Jonquière, transports and merchant vessels destined for Canada, with

soldiers, stores and goods on board, designed for Nova Scotia and Canada. The English admirals, Anson and Warren, with sixteen ships of war, (thirteen being of the line), met this expedition on 3 May, in North Latitude 43° 46′. The English captured six French men-of-war, six French Indiamen, and many transports. The French loss in killed and wounded amounted to 700 men. Jonquière was made prisoner, and four thousand or five thousand French also were taken. The booty was also large, in ships, specie, arms, &c. Among other things found in the transports were 7000 suits of clothes and 1000 stand of arms, &c., designed for the use of the Acadians and Indians. The English lost capt. Grenville, of the Defiance, killed, and about 500 others killed and wounded. Anson was made a peer, and Warren a knight of the bath, an honor then but rarely bestowed. The duke of Newcastle states that Jonquière's fleet had on board ammunition and warlike stores, and 10,000 stand of arms, and that they intended to arm Canadians and Indians, and land a force at Bay Verte, to attack Nova Scotia. [*Letter* 30 *May*, 1747, *to Knowles.*] (The authorities I have relied on for the particulars of the engagement at Mines, in Feb'y. 1747, are the History of the British empire in America, 186–191; 2 Williamson's Maine, 249–254; Douglass, 324–326; La Corne's narrative, and the London magazine for 1747.)

On the 8 February, (19th, new style), president Mascarene writes a letter to Mr. How, in French, that he might shew it to the commander of the French party. To him and all his officers he sends his compliments, and thanks them for the civility they have shewn to our people after the action. He says: "I do not think he can count you among the number" "of the prisoners of war, as you have no commission from" "the king in our regiments here nor in the garrison, and" "that you have been at Mines only in quality of a member" "of council, to secure the inhabitants from the oppression or" "ravage that troops cause generally in their quarters." Suggests that if the prisoners are released, he will get governor Shirley to send back an equal number of French.—12 Feb'y., o. s., Mascarene issues an order, directing the cutting and

bringing in firewood for the garrison, and offers to pay 22 shillings, 13 liards, 4 sols, per cord. Each inhabitant is to furnish 8 cords.—The governor and council united in writing to governor Shirley, at Boston, praying his aid to get the exchange effected for Mr. How, whose personal worth and many services they mention. They state that he was sent to Mines as a civil officer, "and that at his own expences," to assist in providing the troops there with provisions, and to prevent disorders. Mr. Newton was also sent to Boston, to forward the exchange. Mascarene, in a letter of 14 March, o. s., to the French commander, repudiates, with some indignation, a suggestion of the French officer, that his remark as to How's not being fairly to be considered a prisoner of war, was intended to lead to his breaking his parole. I think Mascarene's argument was sound, and that Mr. How was really a non-combatant. Taking up weapons to defend his life, or that of his friend, on a sudden nocturnal attack, could hardly vary his position as a civilian. M. La Croix, who had been taken 24 July, 1745, at the mouth of little Brador, returned to Canada with five other Frenchmen, who were sent back from Boston to M. de Ramezay, in exchange for Mr. How. La Croix left Boston 8 April, with a pass from Shirley, and got to Quebec 28 May. [10 *N. York Col. Doc'ts., p.* 100] On the 12 April, capt. Rous came to Mines in a 24-gun brig, with two armed schooners and 300 men. They landed 150 men, hoisted their flag at the stone house, and, after four days' sojourn, retired. At this time the French appear to have kept up a look-out party of some kind at Chibouctou, as de Ramezay sends news from that place, of the 28th March, that only one English vessel had made her appearance there—that she had fired on four Acadians, who had abandoned a pirogue, which the English subsequently carried off. Same date, two large ships seen sailing in the direction of Isle Royale, (that is Eastward.) 12 May, only two English vessels appeared at Chibouctou, but did not land. The French continued to have scouts and pilots there.—10 July, o. s. Firewood being scarce with the garrison of Annapolis, an order was issued to forbid its exportation.—In August, letters were received at Quebec

from father Germain, who offers a project for the capture of Port Royal, which he represented as actually devoid of any garrison, the soldiers there dying daily. [10 *N. Y. Doc's.*, 121.] The frontier wars of the French and Indians on the borders of New England, still carried on upon a petty scale, no doubt were very harrassing. At Quebec they had, this year, 361 English prisoners. In August, 171 of them returned to Boston, exchanged or ransomed—90 were scattered—30 too sick to be removed, and 70 had died in captivity. [2 *Williamson*, 254.]

Captain Cobb, afterwards an active commander of a government vessel, had pursued Gautier, the younger, as far as Mines. Mascarene tells the deputies on this occasion that "those who oppose the government, and think themselves" "in safety at Mines, are not as strong as they think." He promises, but postpones payment for supplies to the troops who had been there under Noble, probably supposing they would be less inclined to act hostilely by the debt remaining over. On the 3 Sept'r. president Mascarene issued a commission as a letter of marque, to William Knox, master of the sloop Marigold, about 80 tons burthen; Mr. Shirreff countersigns it as secretary, and Mr. How, as judge of vice admiralty, certifies that Knox has given bond, with two sufficient sureties in £1500, for obeying rules, &c.—Sept'r. 17, father Germain, being at Quebec, got 400 lb. powder, 1000 lb. lead and ball, 30 blankets, &c., for his Malecites, and 50 bbls. flour to be sent to Miramichi for them. [*Paris documents, N. Y. Doc's., v.* 10, *p.* 126.] In the course of this year, a dangerous mutiny arose in the garrison of Louisbourg. Knowles, in obedience to orders he had received from England, ordered a stoppage out of the soldiers' pay to be made, "and in a few" "hours after the whole garrison were in a general mutiny, "and the troops ran and returned their provisions into" "store in a tumultuous manner, and swore they were no" "longer soldiers. It was impossible to discover any lead-" "ers, for in an instant there were more than a thousand" "assembled together." Knowles ordered them under arms, and met them upon the parade—told them it was the king's

order, &c. They remonstrated with him, regiment by regiment, stating that they were ready to risk their lives for the king; but they must perish, if, in so dear a place for provisions, their pay was retrenched, and that if they had not their full pay they could be no longer soldiers. He says: "All" "reasoning proving ineffectual, and perceiving many to be" "heated with drink, I found myself obliged to order their pay" "and provisions to be continued to them till his majesty's" "further pleasure should be known; when they huzzaed, and" "said they would serve faithfully." [*Louisbourg, 28 June, 1747.*]

APPENDIX TO CHAPTER VIII.

(From the 10 vol. New York Documents, p. 78.)

CAPITULATION GRANTED BY HIS MOST CHRISTIAN MAJESTY'S TROOPS TO THOSE OF HIS BRITANNIC MAJESTY AT GRAND PRE'.

(1.)

A detachment of his most Christian majesty's troops will form themselves into two lines in front of the stone house occupied by his Britannic Majesty's troops, who will take their departure for Annapolis Royal within twice 24 hours, with the honors of war, six days' provisions, haversack, one pound of powder and one pound of ball per man

(2.)

The English prisoners in the hands of the French will remain prisoners of war.

(3.)

The shipping seized by the troops of his most Christian Majesty, cannot be restored to his Britannic Majesty's troops.

(4.)

As pillage was committed only by the Indians, the booty cannot be restored.

(5.)

The sick and wounded belonging to the English, actually in his Britannic Majesty's hands, will be conveyed to the river Aux Canards, where they shall be

lodged by order of the French commandant, and supported at his Britannic Majesty's expense, until they be in a condition to be removed to Annapolis Royal; and the French commandant shall furnish them with letters of protection, and they shall be at liberty to retain one of their surgeons until they be restored to health.

(6.)

His Britannic Majesty's troops actually at Grand Pré will not be at liberty to bear arms at the head of the bay of Fundy, that is to say, at Mines, Cobequitte, and Beaubassin, during the term of six months from the date hereof.

On the acceptance and signing of these conditions on the one side and the other, his Britannic Majesty's troops will bring with them a flag, and march to-day from their guard-house, of which his most Christian Majesty's troops will take possession, as well as of Grand Pré and all the munitions of war, provisions and artillery, which his Britannic Majesty's troops now have.

Done at Grand Pré, the 12th of February, 1747.

(Signed) COULON DE VILLIER,
Commanding the French party.
BENJAMIN GOLDTHWAITE,
Commanding the English, who has signed with thirteen others.

CHAPTER IX.

1748. We now approach the close of the war between England and France, which began in the spring of 1744, and terminated in this year, 1748. This peace, it will be found, did not put an end to the difficulties and sufferings of the English in our part of the world, as the Indians were encouraged and employed to do damage, while the French professed to keep the peace, but yet acted on unfounded claims, and pushed their troops into territories to which their right was purely imaginary, so as to restrict and hamper the progress of English settlement. The events of the year 1748, in Nova Scotia, are not of great magnitude, but they may possess an interest, as indicative of the temper and manners of the age, and throw some light upon the actual condition of the country and its inhabitants. We find that in May, 1747, the duke of Newcastle had commanded Shirley, the governor of Massachusetts, and Knowles, governor of Louisbourg, that the American troops should be discharged, except such number as they should deem requisite for the defence of Annapolis and Louisbourg. They decided to retain seven auxiliary companies for that service. By commission, dated Boston, New England, 1 November, 1747, they appointed William Clapham captain of one of these seven companies, and on the 1st January, 1747–8, he took the oaths, &c., before governor Shirley. Hopson, who was lieut. colonel of Fuller's regiment, had succeeded Knowles in the government of Louisbourg. He wrote 12 April, 1748, to the duke of Newcastle. He was then apprehensive of an attack on the colliery or the coal vessels. A

block-house had been sent there from Boston, which he intended to have set up at the colliery at the mouth of the river Indienne, (Indian bay, now called Lingan), which, he says, is "a small river 14 or 15 leagues N. E." (of Louisbourg), "or" "near it, and an officer's command with it, to protect the" "colliery there."

A proclamation of governor Shirley, dated 21 October, 1747, was received at Annapolis Royal 12 April, 1748. It promised the king's protection to the loyal inhabitants of Nova Scotia, but it proscribed by name, as guilty of treason and outlaws, Louis Gautier; Joseph and Pierre Gautier, two of his sons; Amand Bugeau; Joseph Le Blanc, dit le Maigre, (lean); Charles and Francis Raymond; Charles LeRoy, a native of this province; and his brother Philips LeRoy; Joseph Brossard, dit Beausoleil; Pierre Guidry, dit Grivois; (jovial) and Louis Hebert, formerly servant of captain Handfield;—in all twelve persons. £50 sterling is offered for each, if delivered up within six months; also a pardon to such of the guilty as deliver up an outlaw besides the reward of £50. It seems singular that this proclamation should emanate from the governor of Massachusetts, while the accused belong to Nova Scotia, and their crimes were committed in this province. But the secretary of State had directed Shirley to assist Mascarene in protecting this province, which he did effectively on many occasions, and there was no revenue in Nova Scotia, so that the hands of our governors at Annapolis were tied up, and they could effect little, unless when aided from New England. It is to be presumed that the twelve persons proscribed had been notorious, in aiding the French and Indians in the subsisting war. Mascarene wrote about this time to the deputies of Mines and Chicanecto, informing them that Shirley had been authorized by the English government to use all requisite means to keep this province in safety—that a vessel of 20 guns had arrived in consequence of this, and that another ship of war, transports and troops, were expected. So unsettled was the state of affairs, that persons going from one part of the province to another were often obliged to obtain special passports; as where disaffection prevailed and invasions were

frequent, the government was necessarily apprehensive of all unusual movements of individuals. As an example of this, we find, 23 April, 1748, a passport was granted by Mascarene, for the shallop Mary Joseph, Charles Boudrot, master—Charles Ambroise Melanson, and Honoré Bourg, mariners, and Margaret Pommicoup and Margaret La Montagne, passengers, giving them leave to go to cape Sables, viz., Pommicoup river, Baccareaux passage and Tibogue, but not beyond cape Sables. The Pommicoup here spoken of is the Poubomcou in earlier documents, now called Pubnico. Margaret Pommicoup, we may conclude, belonged to the Mius family, connected with the Latours. (See the pedigree, p. 264, vol. 1st, of this work.) On the 23 April, two vessels with goods on board, but equipped with arms for war, were sent to Mines. Captain Morris and Mr. Marston went with them to support them by their presence and to inspect that neighborhood, and the government sloop Ordnance-packet went with them.

The European powers who had been at war having sent plenipotentiaries to Aix la Chapelle to make peace, preliminary articles for a treaty were agreed on, and signed on the 19–30 April. All hostilities on land were thereby to cease within six weeks, and at sea "in the time mentioned in the" "treaty of suspension of arms between Great Britain and" "France, signed at Paris August 19, 1712," that is six weeks North of the Equator and six months beyond it. All conquests were to be restored. Thus cape Breton became again a French dominion. The cessation of arms was declared by proclamation at the Royal Exchange, London, on the 9 May, (o. s.) Meantime, to do what was right and fair, the English parliament this year made a grant of money to indemnify the colonists for their expences in the conquest of Louisbourg. The sums voted were :

	l.	*s.*	*d.*
To Massachusetts colony,	183649	2	7½
To New Hampshire,	16355	13	4
To Connecticut,	28863	19	1
To Rhode Island,	6332	12	10
To James Gibson, Esq,,	547	15	0
Sum total,	235749	2	10½

The lords of Trade, in their letter to president Mascarene of 24 May, say that his particular accounts of the expeditions of the enemy by land and sea gave them great satisfaction, and they highly commend the prudent measures he had taken, and they attribute the preserving of the province to his attention and the aid given by the neighboring colonies; and they have referred his request for salary and allowance to the duke of Bedford, one of the secretaries of State. Mascarene, in his letter of 15 June to the secretary of State, says, that the repeated attempts of the enemy on Nova Scotia have not had the success they expected; "and notwithstanding the means" "they have used to entice or force into open rebellion the" "inhabitants, who are all of French extraction and Papists," "they have not been able to prevail, except upon a few of" "them; and after having entered this province three differ-" "ent times, and as often blocked up this fort, with forces far" "superior to what could be opposed to them, they were at" "last, about a twelvemonth ago, obliged to retire to Quebec." "This fort, the only place of strength in this province, and" "the only one where the English have now a footing, and" "which, at the beginning of the war, was in a very ruinous" "condition, has, during the intervals the recess of the enemy" "allowed, been repaired in the best manner the situation and" "circumstances would allow, in which the French inhabitants" "have been made to assist with materials and their labor, on" "moderate encouragement of pay. H. M. ship Port Mahon" "arrived here a fortnight ago; and Mr. Shirley, pursuant to" "the order he had from home, has sent already upwards of" "200 men from the Massachusetts bay, and intends to send"

"more. By the last intelligence I had, I am informed the"
"Canadians are projecting some new attempt on this pro-"
"vince, expecting, as they give out, shipping from France, to"
"assist them."

Father Germain had reported at Quebec that certain French refugees in the vicinity of Tatimigouche, who had come from the island of cape Breton, designed to go to that island to make some devastation there. In consequence of this information, it was resolved in Canada to send a party to Beaubassin, under command of ensign Marin, to consist of 100 Indians from the different villages, and 40 more men. This detachment was to be employed not only in preventing the English from forming any new settlements in Acadie, but also in annoying and harrassing them, either at Port Royal or in Isle Royale, (cape Breton), as far as the environs of Louisbourg, or in the different harbors where they cut firewood, should they find opportunity to go there, so as to disgust the enemy more and more with their conquest. On the 1st July, ensign Marin sailed with forty Frenchmen, in three *Biscayennes*, for baie Verte and Beaubassin, where he was to join the sieur Baillcul, who is to wait for him there with his detachment. [*N. York Colonial documents, v.* 10, *pp.* 166–169.] On the 8th July, the king's *bateau*, the St. Joseph, from cape Chat, brought to Canada twenty-four men and women, inhabitants of Isle Royale, who had remained since the war at the harbor called L'Indienne, who had been forced to come to Quebec by a detachment of 40 Isle Royale settlers, under the command of one Jacques Coste, who also captured two small English vessels at the same harbor. These 24 persons came to cape Chat along with 20 prisoners taken by the same detachment; but provisions having failed, Dugard, the commander, had been forced to pay a ransom, and the prisoners returned to Louisbourg. On the 29 July, Costé arrived in Canada, in command of a schooner taken at Indienne, (Lingan), with a *batedu* by his detachment of French and Indian refugees of Acadie. Costé brought off an English infantry officer and a soldier, whom he took at Little Brador, also the master of the schooner. This detachment burnt all

the houses of the French who were at Indian harbor and Little Brador, and who were working for the English since the capture of Louisbourg. It likewise burnt more than 2000 cords of firewood, that were along the coast, and which the English got the French to cut for their use. Governor Hopson says that there was a very good officer, lieut. Rhodes, of Sir Wm. Pepperell's regiment, in command at the colliery, which was about 4 miles from L'Indienne bay, who was then erecting the block-house for its protection. The capture of the shallops stopped the supply of coal for a month. He had to employ an armed vessel to protect the intercourse with the coal mine. All the French left on the island retired to Louisbourg, after about 40 settlers were carried off from the colliery, and Hopson had to find food for most of them, they not daring to return to their homes. In August, a quantity of goods were sent round to Mines, in a sloop, convoyed by two armed schooners and H. M. S. Port Mahon, in payment for the provisions furnished in 1746 by the inhabitants to colonel Noble and his party. The value per invoice was over 10,000 livres, being near £3200, Old Tenor, Massachusetts Currency. (See particulars in appendix.) A letter was addressed to Mascarene (15 April) by colonel W. Hore, and captains Benjamin Goldthwaite, Jedediah Prebble and William Clapham, of the independant companies lately raised in New England for assisting in the defence of Annapolis, requesting a change in the food of their men, who wished to have more meat in lieu of rum and molasses. Mascarene explains to them that his garrison are victualled by a contract made in England,—the others by a contract made by Shirley. He is willing to do all he can, but he refers them to governor Shirley.

On 26 August, M. Bigot, the intendant, arrives at Quebec. The count de la Galissonière was there as governor since January. Mascarene, in an official letter, taxes the inhabitants of Mines with disobedience, divisions among themselves, screening the proscribed, stopping his packet with a proclamation enclosed for Chignecto and throwing the address into the fire, harboring rebels, and yielding "obedience to that" "banditti who are surely seeking your ruin as well as their"

"own, by involving you thus insensibly in their guilt,"—with employing Alexander Bourg as notary after he was dismissed, and with aiding deserters, and giving clothing, arms, powder and ball, to both deserters and Indians. He tells the secretary of State, the duke of Bedford, (8 Sept'r.), that there was at Mines a faction composed of those inhabitants, who, by having appeared too openly in the enemy's interest, were exempted from the benefit of "a declaration of gov'r. Shirley," "drawn up pursuant to orders received from him, and sent" "to be dispersed among the French inhabitants of this pro-" "vince." They were encouraged from Canada—they sheltered deserters, and, backed up by the Indians, induced others to disobedience. "It will require time and good care to" "bring these French inhabitants to be good subjects, and to" "wean them of that inclination they naturally have for the" "French interest from their ties of consanguinity and religion." He had been now some time aware of the preliminary treaty of peace having been signed. Besides the Port Mahon, sent to reinforce the province, there was the schooner Anson, of 70 tons, John Beare, commander, and Daniel Dimmock, lieutenant, and the schooner Warren, of 70 tons, Jonathan Davis, captain, and Benjamin Myrick, lieutenant. These vessels being under control of Mascarene, tended to produce obedience and peace in the province, as they could easily visit the settlements up the bay, and, by armed parties on board, check any mischief contemplated. During this autumn several French from Canada, cape Breton, and other dominions of France, applied to the government at Annapolis, desiring to take the oath of allegiance and become settlers in Nova Scotia. This request was refused by the council 28 Sept'r., as they did not think themselves justified in allowing French Roman Catholics to settle in the province without further instructions from the crown, and the applicants were directed to retire from the province when opportunity served. An exception was made in favor of Peter Bonner, François Ruié, and Peter Outremer, who had respectively been resident here 19, 16, and 20 years—had married in this province, and behaved themselves well, and they were not to be molested. Colonel Gorham, captain

Morris, and other officers, were at this time at Mines, endeavoring to put out the embers of rebellion and disaffection.

Marin, who had left Canada in July, as a partizan chief to annoy and distress the English, went to the neighborhood of Louisbourg, where he captured a captain, a lieutenant, an ensign, two sergeants and four soldiers, belonging to that garrison—two officers of an English ship of war, and four ladies. The prisoners having apprized him that hostilities had ceased, he sent the ladies back to the governor of Louisbourg, giving him notice that he could not surrender the other prisoners until he was notified of the cessation of war, of which he was ignorant. The governor wrote to him at once, and all the prisoners were sent back, except one named Mayer, a Swiss, formerly the orderly of the French garrison at Louisbourg, who deserted a few days before the surrender of the place, and was accused of treason. Marin got to Quebec on the 1 October, and the Swiss and his wife were brought there as prisoners. [10 *N. York Col. Doc's., p.* 179.] On the 18 October, o. s., the old and new deputies of Grand Pré presented themselves before the governor and council at Annapolis. They had divided Grand Pré into districts, which was approved of; but as they had elected Martin au Coin, whose brother Paul was a known opponent of the government, and he suspected, the choice was annulled, and they were ordered to elect another in his place.

On the 7–18 October, 1748, the general and definitive treaty of peace was concluded and signed at Aix la Chapelle. By the 9th article, "His Britannick Majesty likewise engages" "on his side to send to the most Christian king, immediately" "after the ratifications of the present treaty, two persons of" "rank and condition, to continue in France as hostages, till" "such time as they have certain and authentick advice of" "the restitution of the Royal island," (Isle Royale), "called" "cape Breton," &c., "Provided nevertheless that the Royal" "island of cape Breton shall be restored, with all the artil-" "lery and ammunition found therein on the day of its sur-" "render."

On 19 October, o. s., (30th, n. s.), the Anson and Warren

were ordered to take Gorham and his company, and a detachment of the auxiliaries, all to be under Gorham's command. He was ordered to go to St. John, and to call on the French inhabitants settled on that river to send two deputies to Annapolis, to give an account of their conduct during the war. If the Indians propose to make peace, he is to refer them to Annapolis, and he is directed to chide them for their breach of faith. He may call at Mines if the weather is favorable, but is to avoid landing any of his people at St. John's river or elsewhere, and keep strictly on his guard, and to be watchful against any surprise. There is an order of the same date to the "captain commanding the detachment of the Six auxili-" "ary companies raised in New England for the security of" "this garrison and province," by which Mascarene directs him to obey colonel Gorham. Meanwhile the Port Mahon was recalled to Louisbourg, and several vessel loads of warlike and other stores had arrived at Annapolis from Louisbourg, and more were expected. Several persons from Mines were ordered to appear at Annapolis on the 5 Nov'r.: Etienne le Blanc, Honoré Gotro, who resides with François le Blanc, Guillaume Hebert, Abraham Dugas, Pierre Landry, (son of Antoine), Jean Gotros, widower, and his daughter Nannette, Bioné le Blanc, son of François le Blanc, Philippe Roy, at Pisaguid, and Germain Hebert. The above persons were required as witnesses for the crown against certain prisoners. About the end of November the two *row gallies*, the Anson and Warren, returned to Boston, taking home the men of the auxiliaries whose term of enlistment had expired.

An anonymous writer in the London magazine for Sept'r., 1748, p. 409, computes the expence Great Britain had met in taking and keeping Louisbourg, viz't.:

Paid to the colonies,	£235,747	2	10½
" Garrison, &c. for 3 years,	180,000	0	0
" Navy expense, in capture and protection,	150,000	0	0
	£565,747	2	10½

Transports and incidental expenses he calculates will make the whole charge exceed £600,000. He says "this is three" "times as much as Dunkirk was sold for to France, by king" "Charles 2nd; and since that prince is blamed for making" "a bad market, what must be said of those who give such" "an extravagant present."

At the close of this year, Mascarene and the council were worried by the complaints of a captain of artillery, who had foolishly got into a quarrel on Christmas evening with a person of inferior position, but as the captain, on investigation, seemed to have been himself the aggressor, and refused to accept of any apology, the affair terminated.

APPENDIX TO CHAPTER IX.

An account of merchandize delivered to the deputies and elders of the three districts of Menis, viz't, Grand Prée, Pisaguid, and River Canard, on acco't. of their payment for provisions, &c., they supplied the N. Eng. Troops, from on board the sloop Diligence, Aug't. 20, 1748, viz't. :—

The items are all given and charged in livres, sous, &c. 2 hhds. molasses, at 4 l. 11 s. per gallon; 66 hhds. salt charged at 51 livres 11 1-2 per hhd. of 7 1-2 bushels; linen at 3 livres a yard; 3 bbls. sugar, at 93 l. 1 s. per cwt.; wood axes at 132 liv. per dozen; scythes, do.; cloth was 13 l. 8s. per yard; striped calimanco at 76 l. for 28 yards. The whole invoice is—livres 10,551. 8 1-4 s.

Being calculated with an addition of 20 per cent. on each article from the prime cost in Boston,—"On board the sloop Diligence. in the basin of Minas, Aug't. 24, 1748."

JOSEPH GORHAM.
BARTHOLOMEW LEMERCIER.

Acco't. Curr't.

Dr.

Minas, 1746. To what maj'r. Philipps paid by direction of widow Allen's acco't., Minas money,	79 9 7				
To. do. on acco't of the King's quit rents,	8 15 0				
To Armand Bujeau's Estate,	12 7 11				
	100 12 8	is	Liv. 1207	Sols. 4	Old Tenor. £362 3 2 3-5
To what Mr. How paid during his time,			2899	7 1-5	819 16 9 1-5

Minas, Aug. 28. To merchandize del'd. as per Invoyce to the deputys and elders of the three districts of Minas, for the payment of the inhabitants, Grand Prée, Pizzaquid and River Canard, as per receipt,	10551	8	1-4	3165	8	8	1-5
	Liv. 14657	19	11-16	£4347	7	11	1-5

From all the deputys and elders took a joint receipt for the whole.

N. B.—Old Tenor is worth about one-sixth of Stg. money.

Cr.

	Liv.	Sols.		Old Tenor.			
Minas, 1746. By what the three districts of Minas furnished, vizt.: Grand Prée, Pisaquid, and River Canard,	5791	6	1-16	1737	8	1	2-5
By sundry articles, viz't., Poultry, Garden stuff, journeys and firewood, not included in maj'r. Philipp's acco't., which, having not time to examine, past them,	3160	2		948	0	7	
By sundrys supplyed, as per contra,—sums which maj'r. Philipps and capt. How paid,	4016	11		1181	19	3	3-5
By René Le Blanc's House allowed,	1000	0		300	0	0	
By Baptist Babin, do.,	600	0		180	0	0	
	L. 14657	19	11-16	£4347	7	11	1-2

Errors excepted.

JOSEPH GORHAM.

Sir. The above account being to obviate and prove that the acco't. agrees with the directions received from your Honor, and hope it may meet with your concurrence.

We are, sir, your very humble servants,

JOSEPH GORHAM.
BART. LEMERCIER.

To the Hon. Paul Mascarene, lieut. go'r., &c.

A very particular receipt in full, drawn in French, is attached, dated 19 Aoust,, 1748, signed thus :—

Antients of Minas—
René Le Blanc.
Jac. Terriot.
Fras. Le Blanc.
—— Dougas.

Deputies of Pisaquid—
his
Abr. ⋈ Landry.
mark.
his
Jean ⋈ Chienne.
mark,

Deputies of Minas—

Bern. Daigre.

his
Fras. ⋊ Boudrot.
mark.

his
Mich'l. ⋊ Le Blanc.
mark.

his
Paul ⋊ Oquine.
mark.

Deputies of River Canard—

his
John ⋊ Terriot.
mark.

his
Oliver ⋊ Deglass.
mark.

his
Jean ⋊ Granger.
mark.

his
Michael ⋊ Richard.
mark.

Witnesses—

Chas. Morris.
Jos. Gorham.
Geo. Gerrish.

CHAPTER X.

1749. In January, several claims were made on the government at Annapolis, for the damage sustained by the proprietors of buildings pulled down during the siege as a measure of precaution and defence. Mr. Skene, major Philipps, Mr. Shirreff, John Hamilton, and others, made demands of this nature. The church belonging to the inhabitants was burnt down through a mistake of orders, and other buildings were burnt or destroyed by the soldiers, under similar circumstances. It was resolved in council that every person concerned should swear to his estimate of loss, and that the papers should be "signed by the governor, in order for the" "sufferers to solicit proper compensation in England."— Captain John Gorham, of the independant company of Rangers, offered the government a proposition for settling a township on the Eastern coast, on certain conditions. This project was to be also sent home by the president, with his observations thereon. Mascarene sent all these papers to the lords of Trade, with his letter of 14 February, in which he recommends compensation for the buildings destroyed, and says that Gorham's plan for settling families from New England "according to the measures to be taken at home for" "settling and strengthening this province, may there best" "be considered."

Governor Shirley wrote at great length to the duke of Bedford, secretary of State, (Boston, 18 Feb'y.) on colonial interests. Complains of French encroachments in building fort St. Frederick at Crown point—in claiming the Northern part

of Nova Scotia, Canso island, &c. He suggests that the *quota* of each colony in war should be settled by an act passed in each assembly, but prepared and recommended by the crown, as the proportions settled by king William 3, in council, had long lost their efficacy. He proposes to intersperse protestant settlements among the French in Nova Scotia, taking part of the marsh lands from them for the new settlers : the French to be indemnified with woodland and upland ; also to fortify Chebucto, Chignecto, and minor points. He refers to an accompanying report and plan of a survey, made by captain Morris, who commanded one of the six New England companies of auxiliaries, "an officer who has distinguished himself" "by his behaviour at Minas against the enemy." (This gentleman was afterwards chief surveyor in Nova Scotia, and the ancestor of a highly respected family in Halifax.) He recommends his being employed in further surveys in Nova Scotia. He also favors the bringing settlers here from New England or the North of Ireland. Mr. Morris, in his report, suggested a settlement of about one hundred families on the South shore of Annapolis bason—a settlement of forty families, protected by a battery at the Scotch fort, "a place of consequence" "where the river of Annapolis is not above 600 yards over," "and the depth of the channel within 100 yards of it," distance from the Fort five miles. Another settlement of forty families between the last and the fort—eighty settlers from Moose river to the fort—two settlements of thirty families each, six miles up the river. In all he proposes to place about 300 families in the country around Annapolis. The fishery—brick-making, for which, he says, there is excellent clay in all these districts—labor at the fort—supplying the fort and garrison with lumber and firewood, are mentioned as offering advantages to them. In Mines, he proposes to settle 100 families at River Canard, 150 at Grand Pré and Gaspereaux, and 60 at Pisiquid. He recommends the little island in Grand Pré as a site for a fort. It is 1300 paces long and 400 wide. At Advocate harbor and cape *Doré* he would place 30 families. It has 300 acres salt marsh, and excellent upland. There are no French proprietors there. It is said to have been granted

to the duke of Chandos. (I have not found a record of such a grant.) Copper is found in the crevices of the rocks for two miles together. Cobequid would admit of several settlements. Shubenacadie is said to be fertile. Chignecto is surrounded with marshes,—one, the northernmost, is eight miles long and 1 1-2 wide—contains 7000 acres; another of 3000 acres. Five hundred families might settle there; Minudie, 50 families; and at Chipody, Memramcook and Petitcodiac, 150. From Chipody to St. John the shore is rocky and mountainous. At 1 1-4 mile from Chignecto basin is a hill or island 60 feet high, a quarter of a mile long, and one-eighth of a mile wide, on which, he says, a noble fortress might be erected.

Shirley wished that Canso should have a fort and small garrison, and a ship of war stationed there to protect the fishery and vindicate the title, as the French constantly claimed it by inserting it by name in the commissions of their governors at Louisbourg. They carry on fishery at Gaspé and cut timber in Nova Scotia within five leagues north of the gut of Canso, where a party was even then at work. They also had settled near 300 Canadian families at Gaspé, who repudiate all dependence on England. He says it is absolutely necessary that the line between Canada and the English provinces should be settled by commissioners. He thinks if English protestants settled among the French, they would intermarry. By captain Morris's scheme, 1420 English families could be settled, which Shirley says would exceed the number of the French. On the plan of compact settlements, half an acre to each house lot, they could picquet in their towns, and their usual log houses would be defensible against musketry, the only arms the Indians could bring against them. He proposes a fort at Mines, with a garrison of 300 men; another at Chignecto, capable of holding 1200 men; to have in peace a garrison of 500 soldiers and two companies of Rangers. He thinks 250 soldiers and 75 rangers would be sufficient for the fort of Annapolis. One ship of war and two armed schooners should be employed, to cruise on the coast from Canso to bay Verte, and complete the survey of Nova Scotia. To remove the French inhabitants "would be attended with very hazardous"

" consequences, and should be avoided, if possible." If not intermixed with Protestant English, they will remain a separate body until they grow strong enough to subvert the king's government. He recommends bringing French protestant ministers here, and banishing all their present priests, but providing Catholic priests for them, who are not bigotted to the French interest; also to grant " small privileges and immu- " " nities for the encouragement of such as should come over " " to the Protestant communion and send their children to " " learn English." (This suggestion of offering worldly advantages in a change of profession can hardly be commended in our days.) He favors the establishment of truck-houses for the trade with the Indians, and the granting proper presents to them. He prefers New England settlers, as familiar with cultivating new lands,—as of well rooted allegiance,—and fondness for the Protestant religion. On the same principle he prefers New England troops to be posted in Nova Scotia, and would give each man, after three years' service, fifty acres of land to settle on, or 100 acres if he has a family, and he thinks that within ten years at least two thousand New England families could be got to settle there. The principal garrison should be at *Chibucto*, and the troops in the province consist of 1250 regulars and 475 Rangers. In time of war he thinks there should be 2000 regulars. He recommends stationing a 40-gun ship at Canso, a 50-gun ship at Chibucto, a 20-gun ship at Annapolis or Chignecto, besides a 20-gun ship and two small schooners to cruise from Canso to the river St. Lawrence, and concludes that if Nova Scotia, &c. fall into the hands of the French king, he will have great resources for establishing a general dominion by sea.

Shirley was ordered by the king to prepare a plan of a civil government for Nova Scotia, and he sent his project to the secretary of State, in a letter of 27 February, 1748. He proposes a charter, based on that of Massachusetts, (granted 1692 by William and Mary:) 1. The grant of Nova Scotia to Massachusetts to be vacated or annulled. 2. The assembly to be triennial. 3. The governor to have power to suspend the lieutenant governor and the members of the council. The

governor and council to have power to remove judges, justices of peace, sheriffs, &c. 4. The number of representatives to be fixed and limited. 5. Liberty of conscience to be extended to papists for a definite term, after which they are to be disqualified, as in England. 6. The power of incorporating towns to be reserved to the crown. 7. The king to reserve to himself the appointment of governor, lieutenant governor, secretary, chief justice and attorney general. 8. The supreme court to have equity jurisdiction as well as common law. 9. Governor and council to have cognizance of marriage and divorce controversies. 10. Appeals to the king in council allowed in cases over £300 stg. 11. Trees 24 inch diameter at one foot from the ground reserved for the use of the navy. 12. Until sufficient English population, which, he supposes, ten years will bring round, the governor and council are to make laws, erect courts, &c.; and the chief justice to go on circuits, and determine, without a jury.

The proposal for a charter government was not adopted. The new government was therefore modelled more on the pattern of that of Virginia, the oldest Royal province, than on the Massachusetts charter.

The peace of *Aix la Chapelle*, of October, 1748, is said to have been proclaimed in London in the beginning of February, and at Boston, Massachusetts, 10 May, 1749, and it was proclaimed at Annapolis Royal 20 May, o. s. M. de la Galissonière, the governor of Canada, wrote to Mascarene, dating Quebec, 15 January, 1749. He complains of a missionary having been driven out of Mines—of the houses of Amand Bugeaud and Le Maigre, at the same place, having been burned. If Mines should prove to be French territory, the English must rebuild them, as they were aware at the time of the cessation of arms. Exacting submission from the people of Beaubassin and bay Verte, he calls premature and useless until the right to these places is determined. He complains still more of Gorham's exacting submission from the inhabitants of the river St. John, "a river situated in the continent" "of Canada, and much on this side of the Quenibec, where," "by common consent, the bounds of New England have"

" been placed;" also that Gorham told the Abenaquis they must make their submission at Annapolis, if they wished to be included in the peace, and Gorham kept two of them who had gone on board his vessel to look for their missionary. He says it is very doubtful whether it was by the Abenaquis that the Englishmen of Gorham's vessel were killed; but it it were so, these two Indians had gone on board on the public faith given by Gorham, and ought not to have been arrested. He demands—1. The release of the two Indians. 2. That nothing shall be changed in the state of religion and its ministers in Acadie. 3. That Gorham and all others shall be forbidden to solicit or to threaten the inhabitants of the river St. John, or of any other dependancy of the government of Canada, to engage them to submissions which are contrary to the allegiance which they owe to the king of France, who is their master as well as mine, and has not ceded this territory by any treaty. 4. I beg you to let me know if you conceive the Abenaquis are included in the peace, and if so, that you will induce M. Shirley to let them rebuild their village and to leave their missionaries in tranquillity, as they were before the war. He says they entered the war only as allies of France, and it ought to close for them as for the French, who are bound to protect them. He dwells on the difficulty he has to restrain the Indians, and the damage they may do to the English borderers.——To this letter both Mascarene and Shirley replied at considerable length, claiming for Great Britain the territories referred to by Galissionère—defending the course pursued with regard to sending Gorham to St. John, and in dismissing the priest at Mines and punishing traitors. The French of St. John, many years ago, had taken the oath of allegiance. Gorham and some of his men, who went ashore, were fired upon, and he took two of the Indians in order to induce the others to clear themselves of any share in this outrage, and to bring the offenders to light. They were well treated, and so little guarded that they got away—one of them got home, the other was retaken and sent to Boston. Shirley tells him that the Abenaquis, when the war was impending, sent a deputation to governor Mascarene, professing to wish

to remain in peace, although war should arise between the two crowns. This was conceded, and they were honorably treated and dismissed; but their real mission was to act as spies, and they "returned in three weeks after, among others of their" "tribe, with the missionary de Loutre at their head, surpri-" "sed and killed as many of the English at Annapolis Royal" "as they caught without the fort," &c. "For this perfidious" "behaviour I caused war to be declared in H. M. name" "against these Indians in Boston, in November, 1744; and" "so far as it depends on me, they shall not be admitted, sir," "to terms of peace, till they have made a proper submission" "for their treachery, unless they should be already compre-" "hended in the definitive treaty of peace." There are many excellent arguments and statements in the letters of both the English governors to the governor of Canada. They chiefly refer to the territorial rights of each crown, and to the determination of the English to check treason within their own bounds, without regarding either the priests, the inhabitants, or the Indians, who dwelt on British ground, as privileged to carry on open or clandestine hostility to the government or to the English of the adjoining colonies. I should have been glad to give this correspondence in full; but in this instance, and in several others, I believe it better to abridge, as what might prove interesting in an historical collection, would tend to swell a work like the present beyond all reasonable bounds.

On the 8 May, an order of the governor and council was signified to M. Brossard, a French priest, who had come irregularly into the province, to depart without delay. 8 June, 1749, the president and council re-established an ordinance of 1730 against riding other folks' horses, and another concerning overseers of sheep; and appointed Denis Petitot and Tuck Landry, overseers. Granger's schooner, which had been detained during the war, was allowed to leave Annapolis; but Mines vessels were still forbidden to leave Minas basin 14 June. June 21, Lieut. Brown, with a party of Gorham's rangers, was sent up the bay after deserters, in the Warren row galley. During the spring of this year, Mascarene was informed that two officers and twenty or thirty men from Canada, together

with a number of Indians, had come to erect a fort and make a settlement at the mouth of the river St. John, and that two vessels with stores and materials were coming to them from Quebec, down the gulf of St. Lawrence and round cape Sables. He notified the English government of this in a letter of 2 June, in which he says also, " Thirty leagues up that river " " are seated about twenty families of French inhabitants, " " sprung originally from this side of the bay, most of them " " since my memory, who, many years ago, came here, and " " took the oath of fidelity, and have been reckoned as the " " rest of the French inhabitants of the other settlements of " " this province, and the whole river up to its head, with all " " the Northern coast of the bay of Fundy, and in general all " " the parts of the said bay, were always reckoned dependant " " on this government, and, I presume, included in the com- " " mission of the French governor who commanded here when " " this place was surrendered to the arms of Great Britain."

CHAPTER XI.

WHETHER the restoration of cape Breton to France in the treaty of *Aix la Chapelle* was an act of prudence or folly on the part of the rulers of England, is a question that can only be determined on a full and accurate investigation of the state of the two crowns at the time of the negociation, as respects their forces, both military and naval, and their prospective means of continuing the war to advantage. To resolve it, therefore, lies beyond the scope of the present work. There can be no doubt, however, that if the surrender of Louisbourg to its former owners could have been avoided, the British influence in America would have been essentially benefitted. The course adopted of founding a place of strength at Chibouctou, on the Eastern coast of this province, and making a settlement there of settlers of British origin, was, in these circumstances, a measure of wisdom and forethought. Not only did it strengthen the power of government within the province itself, but it afforded a place suited in every way for fleets and armies to be afterwards employed in the reduction of Canada. Nova Scotia no longer was to depend for military support and relief upon New England, but on the contrary could at all times supply assistance to the older English colonies in case of attack. A plan for sending out a body of settlers was adopted, and the lords of Trade, by the king's command, published a notification in March, 1749, offering to all officers and private men discharged from the army and navy, and to artificers necessary in building and husbandry, free passages—provisions for the voyage, and subsistance for a year after landing

—arms, ammunition, and utensils of industry—free grants of land in the province, and a civil government, with all the privileges enjoyed in the other English colonies. Parliament voted £40,000 sterling for the expense of this undertaking, and in a short time 1176 settlers, with their families, volunteered to go. Colonel the honorable Edward Cornwallis was gazetted as governor of Nova Scotia 9 May, 1749. Mr. Cornwallis sailed in the Sphinx, sloop of war, on the 14 May, o. s., and the settlers embarked in thirteen transports, and left England some time afterwards.

The Sphinx made the coast of Acadie on the 14 June, o. s., but having no pilot on board, cruised off the land until the 20th, when they met a sloop on her way from Boston to Louisbourg, having two pilots. Cornwallis decided to go to Chebucto, for which he had a fair wind. Before he went there he had visited Merliguiche bay, where there was then a small French settlement, (Malagash, now called Lunenburg.) He arrived at Chebucto, (now Halifax harbor), on the 21 June, o. s., being the 2 July, n. s. The next day he wrote a despatch to the duke of Bedford, secretary of State, and sent a duplicate to the lords of Trade, and wrote also to president Mascarene, by the sloop he had met and detained, and sent a Frenchman overland by the way of Mines to Annapolis, a journey of 3 or 4 days. It was 25 leagues from Chebucto to Mines, over which the French had made a path to drive cattle. (See appendix.) On the 27 June, o. s., the transports appeared off the harbor, and by the 1 July, o. s., they had all got in safely. The number of persons who came as passengers in the transports amounted to 2532, and there are said to have been some few who came with the governor and his suite in the Sphinx. The whole number of settlers is stated in an old ms. book to have been 2576 souls.

Cornwallis says, (22 June, o. s.,) that the coasts are as rich as ever they have been represented. "We caught fish every" "day since we came within forty leagues of the coast. The" "harbour itself is full of fish of all kinds. All the officers" "agree the harbour is the finest they have ever seen. The" "country is one continued wood. No clear spot is to be"

" seen or heard of. The underwood is only young trees, "
" so that with difficulty one might walk thro' any of them. "
(make his way anywhere, Duplicate of letter.) " D'Anville's "
" fleet have only cut wood for present use, but cleared no "
" ground. They encamped their men upon the beach. I "
" have seen but few brooks, nor have as yet found the navi- "
" gable river that has been talked of." (The N. W. Arm was called Sandwich river on early maps, and is most likely the one referred to.) " There are a few French families on each side "
" of the bay, about three leagues off. Some have been on "
" board." " We came to anchor in Merliguiche Bay, where, "
" I was told, there was a French settlement. I went ashore "
" to see the houses and manner of living of the inhabitants. "
" There are but a few families with tolerable wooden houses, "
" covered with bark—a good many cattle, and clear ground "
" more than serves themselves. They seem to be very peace- "
" able; say they always looked upon themselves as English "
" subjects; have their grants from colonel Mascarene, the "
" governor of Annapolis, and shewed an unfeigned joy to "
" hear of the new settlement. They assure us the Indians "
" are quite peaceable, and not to be feared. There are none "
" hereabouts."

As the evacuation of Louisbourg was now in progress, Cornwallis sent off one of the transports to Louisbourg on the 1 of July, and four more, the largest of the fleet, on the 5th. These had all got into Louisbourg on the 13th; and as colonel Hopson, who had been the English governor, had engaged to deliver up the place to M. des Herbier, the French commandant, by the 12th, Hopson, and the two regiments he had there, embarked at once for Chebucto, where they shortly after arrived.

Early in July, the settlers were, many of them landed, some on George's island, but more on the peninsula, where the city of Halifax now stands. The ground was everywhere covered with wood—no dwellings or clearings appear to have been previously made. On the 12 July, o. s., colonel Mascarene, the late president, arrived at Chebucto, accompanied, as Mr. Cornwallis had requested, by five of the council, (a quorum.) The

next day the new governor exhibited his commission to them, and took the oaths of office; and on Friday, the 14 July, o. s., (25 July, n. s.,) he appointed a new council, who that day met with him on board the Beaufort, transport, in the harbor, and took the oaths. They were:

Paul Mascarene,
John Gorham, Benjamin Green,
John Salisbury, Hugh Davidson.

A general salute from the ships in the harbor announced the proceeding to the people, and the day was devoted to festivity and amusement.

Some progress was made by the settlers. Before 23 July, o.s., twelve acres of the site of the intended town had been cleared, and Cornwallis expected to begin to erect his own house in two days thence, having a small frame and planks ready. It is a tradition that this first governor's house in Halifax was a small building erected where the Province building now stands, and was defended by cannon mounted on casks or hogsheads, filled with gravel. The first impression led them to think Sandwich point, now well known as Point Pleasant, would be the best situation for their town. It was a spot easily defensible, and it had the advantage of Sandwich river, (the name then given to the North West Arm), which was navigable some distance up. Under this opinion they began to clear the ground at the point the first day that they worked on shore; but, upon examination, the strongest objections against this site appeared. The shoal that runs off from the point would make it very convenient for a fort, but was extremely dangerous so near to a town. It was so shallow that at a cable's length from the shore small boats would strike upon the rocks, and it was evident besides, from the beach, that a prodigious sea must come in there, and as the great storms here come from the South-east, they would act directly on the point. The soil also was thought too stony and hard near the shore, and swampy behind. Cornwallis, after this, fixed on a place for the town on the West side of the harbor. It was on the side of a hill which commanded the whole of that peninsula, and sheltered the town from the North-west winds.

The distance from the shore to the top of the hill is about half a mile, the ascent very gentle and the soil good. (Citadel hill referred to rises about 250 feet above the level of the water.) There is convenient landing for boats (he says) all along the beach, and good anchorage for the largest ships within gun shot of the shore. (The ease with which the Great Eastern moved about in this harbor when she was here in the summer of 1860, fully justifies his opinion.) He proceeds to observe, that in Durell's plan, the two points (at the Narrows) that make the entrance to Bedford bay (now called Bedford basin), are marked as the places proper to fortify, which is likewise taken notice of by Mr. Knowles. Their view must have been to have the settlement within that bay, (that is on the Basin.) This, he thinks, would be too far up for the fishermen, being five leagues from the entrance of the harbor, (at the outer cape.) The beach of the harbor being excellent for curing fish, no one would think of going up above, and no ship would, by choice, go so far, "as no finer harbour can be than that" "of Chebucto, which reaches from these points" at the Narrows) "to Sandwich river," (mouth of the N. W. Arm;) so that notwithstanding of any forts upon these points, i. e. at the Narrows, an enemy's fleet might be secure, and block up all ships within the bay, (basin.) He goes on to say that the proper places to fortify for the defence of the harbor seem to be Sandwich point, (point Pleasant), and the bank opposite to it. (Q. McNab's island, or the hill above Ferguson's cove.) George's island, he says, lies likewise very convenient for a battery to defend both the harbor and the town. It contains about 10 or 12 acres. It was there he landed the settlers from on board the ships sent to Louisbourg. He had now a guard there, (23 July, 1749, o. s.,) and stores, and proposes to build a magazine upon it for powder. He says 'the situation I have' 'chosen has all the conveniences I could wish, except a' 'Fresh water river. Nothing is easier than to build wharfs.' 'One is already finished for ships of 200 tons. I have con-' 'stantly employed all the carpenters I could get from Anna-' 'polis or the ships here to build log houses for stores.' He also offered the French at Mines large wages to work at Hali-

fax, and they promised to send him 50 men in a few days, who would stay till October. In his letter to the board of trade of 24 July, he states the total number of settlers, men, women and children, at 1400, (more than 1000 below the official returns, so it is likely to be a miscopy instead of 2400.) He says also that of these but 100 soldiers and 200 seamen are able and willing to work, and he speaks in the harshest and coarsest terms of the rest.

On 14 July, o. s., a proclamation issued in both the French and English languages, signed by the governor, Cornwallis, and countersigned by the secretary, Mr. Davidson. It refers to the new settlement in progress—calls on the French inhabitants to countenance, assist and encourage the settlers—reminds them of the indulgence they had enjoyed in the free exercise of their religion, and the quiet and peaceable possession of their lands, and reminds them of their ungrateful conduct in return, in openly and covertly aiding his majesty's enemies, by furnishing them with quarters, provisions, and intelligence, and hiding their designs, so that more than once they appeared under the walls of Annapolis Royal before the garrison had any notice of their being in the province. It then goes on to say that notwithstanding all that had passed, the king will continue to protect them in the free exercise of their religion, (as far as the laws of Great Britain do allow the same), and the peaceable possession of their cultivated lands, provided they take the oaths of allegiance within three months —obey the rules and laws of the government, and give assistance to the new settlers. The proclamation also forbids any one taking possession of uncultivated land without a grant from the crown, under the province seal; and forbids corn, cattle or provisions being exported to any foreign settlement without special leave from the governor.—Another meeting of the governor and council took place on board the Beaufort, on monday, 17 July, 1749, o. s. On this occasion William Steele, esq'r., whom the governor had appointed to a seat in council, was sworn in. His Excellency read a proclamation by which all settlers were forbidden to leave the province without his permission, under pain of forfeiting all the allowances and pri-

vileges promised them; and two days' absence from the settlement was to be accounted as leaving. Another, by which any one who should sell liquors without a license, should forfeit his stock of liquors, and be punished otherwise, as the council might direct. These were approved of by the council, and published in the camp. And a third, by which all masters of ships and vessels were required to wait on the governor at their arrival and before their departure, was issued of same date.—Governor Cornwallis, soon after his arrival, had received from colonel Hopson copies of letters from Shirley and Mascarene, giving an account of the French having begun a fort and settlement at the mouth of the river St. John. He sent the Albany, capt. Rous, with a small sloop to attend him, with orders to the officers in command at Annapolis to furnish him with soldiers, if requisite. Shirley had sent a vessel, the Boston, to Annapolis, on the same errand. It appears that the French had put in at port Mouton, on their way to St. John, He tells the duke of Bedford (24 July, o. s.,) in regard to the encroachment of the French at St. John's river, that he wishes he had been lucky enough to have reached Annapolis. (This was prevented by his desire not to be absent when the settlers and the garrison from Louisbourg should get to Chebucto.) He would have gone himself to St. John. A work at the commencement is easily crushed; and he wishes colonel Mascarene, instead of sending to acquaint Mr. Shirley, had gone himself, or sent a force to have asserted H. M. right, and stopped it. Monsieur Ramsay, (de Ramezay), who, he hears, is the person employed, had passed *Merlegoch* but a few days before Cornwallis put in there; and it was owing to a sloop with him, and some other French on board putting in at port Mouton, that a rumor prevailed of the French intending to make a settlement at that place.

At the first meeting of governor Cornwallis with the new council he had nominated, (14 July, o. s.,) the oath of allegiance which the French inhabitants had hitherto taken, was read by Mascarene, who informed them that the French pretended that when they took this oath it was upon condition understood that they should be exempted from bearing arms.

It was then moved to add this clause, "*et ce serment je prens*" "*sans reserve,*" (and this oath I take without reservation); but this was not approved, as the oath was considered strong enough. It was suggested, however, that the French should be informed that in taking it they must do so without condition or reservation. This oath is the same to which the lords of trade objected long before. Three French deputies, who had come to wait on his excellency. viz., Jean Melançon, from Canard river, Claude le Blanc, from *le Grand Pré*, and Philippe Melançon, from Piziquid, were called in, and after reading 'his majesty's declaration' to them, and the oath, his Excellency assured them of all manner of protection and encouragement, but informed them he expected the inhabitants would take the oath of allegiance to his majesty in the same manner as all English subjects do. Being asked if they had anything to offer from their several departments, the deputies answered that they were only sent to pay their respects to his Excellency, and to know what was to be their condition henceforth, and particularly whether they should still be allowed their priests. His Excellency assured them that they should always have them, provided that no priest should officiate in the province without license first obtained of his Excellency. Copies of H. M. declaration, (of which I regret I have not found a copy), and of the oath, were given to them to issue to the inhabitants, and they were recommended to return within a fortnight, and to report the resolutions of their several departments. They were also ordered to send to the other French settlements, to let them know his Excellency desired to see their deputies as soon as possible.

Cornwallis says, (23 July, o. s.): "The Indians are hitherto" "very peaceable; many of them have been here with some" "chiefs." He made them small presents, and proposed that they should assemble their tribes and return authorized to enter into a treaty, assuring them of the friendship and protection of the king in that case, and of presents. He says he told the French deputies that the inhabitants must swear allegiance unconditionally. They pretended their sole difficulty arose from fear of the Indians in case of a French war. He

thinks it necessary to exhibit strength, and designs to send, as soon as possible, two companies to Minas, with orders to build a barrack, and stay there through the winter. He should also send an armed sloop into the bay of Minas, to prevent all correspondence with the French by sea. Another company to the head of the Bay, (Basin), where the road to Mines begins. He also proposed to have a block-house half way, for the convenience of travellers, and then to set all the men he could collect, both soldiers and inhabitants, to open the road to Minas. At this date, (23 July, o. s.,) the garrison of Louisbourg had not arrived, and he had only one company of Hopson's regiment, one of Warburton's, and sixty men of Gorham's Indians, (Rangers?) Cornwallis says that nothing is wanting but industry and assiduity to make this colony, in time, as it appears to him, "the most flourishing of all the Northern" "colonies." As to fishery, it most certainly has the advantage of them all, and, as far as he can perceive, is not inferior in other particulars. The soil is good; the climate esteemed healthy; the "harbour the finest perhaps in the world." It wants a proper civil government, "for as yet there has hardly" "been the appearance of one."

The governor and council assembled again on board the Beaufort, on the 18 July, o. s., the councillors attending being messrs. Mascarene, Green, Salisbury, Davidson and Steele.—The governor appointed John Brewse, Robert Ewer, John Collier and John Duport, esquires, justices of the peace for the *township of Halifax*, (a name given to the town in compliment to the earl of Halifax, then presiding in the board of trade), and these gentlemen were sworn in accordingly. 'Ordered a 'proclamation, that all the settlers should assemble to-morrow 'morning in separate companys, with their respective over-'seers, and each company chuse a constable.' Cornwallis says, (24 July), 'many come over of the better sort, who, tho' they' 'do not work themselves, are very useful in managing the' 'rest. I have appointed two or three of these overseers to' 'each ship's company.' At another council on board the Beaufort, Wednesday, 19 July, o. s., Erasmus Philipps, esquire, resigned his commission as king's advocate in the Vice Admi-

ralty court, which bore date London, 23 February, 1729.—Thursday, 27 July. At a council on board the Beaufort, Peregrine Thomas Hopson, esq'r., late governor in chief of Cape Breton, and colonel of a regiment of foot, was named by his Excellency a member of the council, and sworn in accordingly. (The garrison from Louisbourg had probably arrived at this time.) The next day, 28th, lieutenant colonels Robert Ellison and James Francis Mercer were added to the council. and on monday, 31 July, o. s., lieutenant colonel John Horseman, and Charles Lawrence, major, were also sworn in as members of council. This meeting was on board the Beaufort, transport, as were all the meetings of council to the 1 October, inclusive. There were present, 31 July, governor Cornwallis, and in the order as minuted, messrs. Hopson, Mascarene, Ellison, Mercer, Goreham, Green, Salisbury, Davidson, Steele; also Horseman and Lawrence, then just sworn in. Mr. How appears to have been absent. The full number of twelve members was thus completed.

All the governor's despatches to England to 11 September, inclusive, are dated Chebucto; but in that of 17 October he begins to date Halifax. He seems to have only begun to lodge on shore in October, on the 14th of which month the council met in his 'apartment' at *Halifax*. As this date corresponds with the 25 October of our modern calendar, it was pretty far advanced autumn weather, when we find fires very comfortable. It may be inferred that the process of building small wooden houses to shelter the people, must have been slow at this time. Small frames of buildings, and plank, and shingles, were, to some extent, supplied from Massachusetts; but the tradition is, that many dwellings were put up of pickets—that is, small trees cleared of branches, and set up vertically in rows close together, and then fastened with strips of board nailed on, afterwards roofed and covered in, thus forming small wooden cottages. This has been confirmed in several instances, on the repair or pulling down houses where the pickets with the bark on have been found.

Halifax in the summer and autumn of 1749 must have presented a busy and singular scene. The ship of war, and her

strict discipline—the transports swarming with passengers, who had not yet got shelter on the land—the wide extent of wood in every direction, except a little spot hastily and partially cleared, on which men might be seen trying to make walls out of the spruce trees that grew on their house lots—the boats perpetually rowing to and from the shipping, and as the work advanced a little, the groups gathered around—the Englishman in the costume of the day, cocked hat, wig, knee breeches, shoes with large glittering buckles, his lady with her hoop and brocades—the soldiers and sailors of the late war, now in civilian dress, as settlers—the shrewd, keen, commercial Bostonian, tall, thin, wiry, supple in body, bold and persevering in mind, calculating on land grants, sawmills, shipments of lumber, fishing profits—the unlucky *habitant* from Grand Pré or Piziquid, in homespun garb, looking with dismay at the numbers, discipline and earnestness of the new settlers and their large military force,—large to him who had only known the little garrison of Annapolis—the half wild Indian, made wilder and more intractable by bad advisers, who professed to be his firmest friends—the men-of-war's men—the sailors of the transports, and perhaps some hardy fishermen, seeking supplies, or led thither by curiosity. Of such various elements was the bustling crowd composed, not to mention the different nationalities of the British isles themselves. How interesting to us of this province would now be a picture that could realize the appearance our city then must have presented.

APPENDIX TO CHAPTER XI.

(1.)

[Advertisement from the London Gazette.]

Whitehall, March 7, 1748-9.

A proposal having been presented unto his Majesty, for establishing a civil government in the province of Nova Scotia, in North America, as also for the better peopling and settling the said Province, and extending and improving the fishery thereof, by granting lands within the same, and giving other encouragement to such of the officers and private men lately dismissed his Majesty's land and sea service, as shall be willing to settle in the said province; and his Majesty having signified his Royal approbation of the purport of the said proposals, the Right Hon. the Lords Commissioners for Trade and Plantations, by his Majesty's command, give notice, that proper encouragement will be given to such of the officers and private men lately dismissed his Majesty's land and sea service, and to artificers necessary in building or husbandry, as are willing to accept of grants of land, and to settle with or without families in the province of Nova Scotia.

To the settlers qualified as above:

1. Will be granted passage, and subsistance during their passage, as also for the space of twelve months after their arrival.

2. Arms and ammunition, as far as will be judged necessary, for their defence, with proper utensils for husbandry, fishery, erecting habitations, and other necessary purposes.

3. A civil government to be established, with all the privileges of his Majesty's other colonies or governments in America, and proper measures will be taken for their security and protection.

The lands granted shall be in fee simple, free from the payment of any quit rents or taxes, for the term of ten years; at the expiration whereof, no person to pay more than one shilling sterling per annum for every fifty acres so granted. The lands are to be granted with the following qualifications and proportions:—

50 acres to every private soldier or seaman, and 10 acres over and above to every person (including women and children) of which his family shall consist, and further grants to be made to them as their families shall increase.

80 acres to every officer under the rank of an Ensign in the land service, and that of a Lieutenant in the sea service; and 15 acres to every person belonging to the family.

200 acres to every Ensign, 300 to a Lieutenant, 400 to a Captain, 600 to every officer above the rank of a captain, in the land service. In the sea service, 400 acres to a Lieutenant, 600 acres to a Captain; 30 acres to every person bolonging to such families.

Reputed surgeons, whether they have been in his Majesty's service or not, shall be in the capacity of Ensigns.

All persons desirous to engage, are to enter their names in the month of April, 1749, at the trade and plantations office, or with the commissioners of the navy residing at Portsmouth and Plymouth.

[The foregoing is taken from Douglass' Summary. There is a copy, varying in several respects, but in substance similar, in Akins' Settlement of Halifax, p. 44.]

(2.)

LIST OF THE TRANSPORTS IN WHICH THE FIRST SETTLERS OF HALIFAX ARRIVED IN 1749.

Name of vessel.	Master's Name.	Tonnage.	Number of Passengers.
Charlton frigate,	Richard Ladd,	395	213
Winchelsea,	Thomas Cornish,	559	302
Wilmington,	Thomas Adams,	631	340
Merry Jacks,	——— Granger,	378	210
Alexander,	Sam. Harris,	320	172
Beaufort,	Elias Brennan,	541	270
Roehampton,	Sam'l. Williamson,	232	77
Cannon frigate,	Andrew Dewar.	342	190
Everly,	S. Dutchman,	351	184
London,	John Barker,	550	313
Brotherhood,			27
Baltimore,	Edward Cook,	411	224
Snow Fair Lady,	Isaac Foster,		10
			2532

(See Akins' Settlement of Halifax, p. 5 &c., published in 1847.)

There are said to have been some passengers in the Sphinx besides the governor and his suite. This may comport with a total of 2576 souls in all, stated anonymously in an old book of records.

Of the whole number, 1545 were males, 500 of whom had been seamen in the Royal navy.

(3.)

The names of the more remarkable persons who came in the expedition, as stated in a register of settlers, with their professions or designations:—

2 Majors in the Army:

Ezekiel Gilman, Leonard Lockman.

1 Fort Major and Commissary:

John Lemon.

6 Captains in the Army:

Otis Little, Edward Amhurst, Thomas Lewis, Benj. Ives, Frederick Albert Strasburger, Francis Bartelo.

19 Lieutenants in the Army:

David Lewis, George Berners, George Colly, Richard Partridge, Thomas Newton, John Collier, Robert Ewer, John Creighton, Thomas Vaughan, John Galland, Richard Reves, William Joice, Joseph Wakefield, Augustus Graham, Alexander Callendar David Haldane, Robert Campbell, William Bryan, T. Vaughan.

3 Ensigns in the Army:
James Warren, Thomas Reynolds, Henry Wendell.

3 Lieutenants in the Navy:
John Hamilton, Adam Cockburn, William Williams.

5 Lieutenants of Privateers:
John Steinfort, Dennis Clarke, William Neil, Gustavus Mugden, John Twinehoe.

23 Midshipmen of the Royal Navy:
Charles Mason, Robert Beattie, Charles Covy, Samuel Budd, John Ferguson, Nich's. Puxley, William Watson, Joseph Thornwell, Henry Chambers, Nicholas Todd, Roger Lowden, Joseph Gunn, John Thompson, Robert Young, Thomas Burnside, Timothy Pearce, Richard Drake, Newbegin Harris, William Vickers. Richard Cooper, Richard Mannering, Thomas Dumster, Richard Cockburn.
John Jenkins, cadet; René Gillet, artificer.

5 Volunteers:
John Grant, John Henderson, Edward Gibson, William Hamilton, William Smith.
Lewis Hayes, purser; John Bruce, engineer.

15 Surgeons:
William Grant, Robert White, Patrick Hay, Matthew Jones, Thomas Wilson, M. Rush, James Handeside, H. Pitt, Geo. Philip Bruscowitz, Cochran Dickson, Joshua Sacheveral, Thos. Inman, John Wildman, David Carnegie, John Willis.
John Steele, lieutenant and surgeon.

10 Surgeons, mates and assistants:
William Lascelles, Augustus Cæsar Harbin, Arch'd. Campbell, John Wallis, John Grant, Daniel Brown, Timothy Griffith, Henry Martin, Robert Grant, Alexander Hay.
Robert Throckmorton, surgeon's pupil.

Mr. Anwell, clergyman.
Jean Baptiste Moreau, gentleman and schoolmaster.
William Jeffery, commissary.
William Steele, brewer and merchant.
Daniel Wood, attorney.
Thomas Cannon, esquire.
John Duport, Lewis Piers, } Gentlemen.
Archibald Hinshelwood, John Kerr, William Nisbett, Thomas Gray, } Governor's clerks.
David Floyd, clerk of the stores.

Other names on this list, whose descendants exist in the Province, (Akins' Settlement of Halifax, p. 50): Richard Wenman, Thos. Keys, John Edes, John Gosbee, Ralph Coulston, Edward Orpen, John Christopher Laurilliard, Philip Knaut, Peter Burgman, Otto Wm. Schwartz, John Jacob Preper, John Woodin, Andrew Wellner, Christopher Preper, Simon Thoroughgood.

(4.)

George Dunk Montagu, earl of Halifax, succeeded to his father's title in 1739. In 1745 he raised a regiment of foot for government on the Scotch rebellion breaking out. In 1748 he was made first lord of trade. He was subsequently lord lieutenant of Ireland—in 1762, a lord of admiralty—in 1763, secretary of State, but dismissed in 1765—again secretary of State in 1769. Lord North was his nephew. The earl died without issue male in 1772, and the earldom expired with him. (See 7 New York Colonial Documents, p. 745, Dr. O'Callaghan's note.)

(5.)

The honorable Edward Cornwallis, son of Charles the 3rd baron Cornwallis, was born in 1712—was colonel of 24th foot—appointed governor of Nova Scotia, with £1000 a year salary—was M. P. for Eye in 1749, and for Westminster in 1753—made a governor of the Bedchamber, and afterwards governor of Gibraltar. He married, but left no family. His twin brother, Frederick, was archbishop of Canterbury. (See Millan's Universal Register for 1759. Akins' Halifax, p. 45.)

(6.)

(*From Hayward's Autobiography of Mrs. Piozzi, p.* 168.)

"Lord Halifax was now, or soon after, head of the Board of Trade, and wished to immortalize his name—he had no sons—by colonizing Nova Scotia. Cornwallis and my father, whom he patronized, were sent out, the *first persons* in every sense of the word."

P. 165, she states that her mother, a miss Salusbury Cotton, had £10,000 fortune, and married for love her "rakish cousin, John Salusbury, of Bachygraig," (in Wales.) "He unchecked by care of a father, who died during the infancy of his sons; ran out the estate completely to nothing,—so completely that the £10,000 would scarcely pay debts and furnish them out a cottage in Caernarvonshire."

P. 170, she mentions her father's brother, "Doctor Thomas Salusbury, of the Commons." "My father had meanwhile, I fear, behaved perversely—quarrelling and fighting duels, and fretting his friends at home. My mother and my uncle, taking advantage of his last gloomy letter, begged him to return and share the gayeties of Offley place."

P. 172. "Lord Halifax was become lieutenant of Ireland, (Ld. Halifax was lord lieutenant of Ireland in 1761—October), and my father made one of his numerous escort, delighting to attend his patron through his own country, and shew him the wonders of Wales." Mamma and I remained at Offley, doing the honors.

P. 173. Mr. John Salusbury, died near Offley, in England, in December, 1762, leaving a widow and one daughter, Hester Salusbury, afterwards Mrs. Thrale, the friend of Dr. Johnson; and by a second marriage in 1784, Mrs. Piozzi.

Offley was the seat of Sir Thomas Salusbury, in Hertfordshire.

CHAPTER XII.

On the 29th Juiy, o. s., (9 August, n. s.,) the following deputies from the French districts arrived at Halifax, viz't.:

Alexandre Hebert, Joseph Dugas, } From Annapolis.
Claude LeBlanc, from Grand Pré.
Jean Melançon, from Rivière des Canards.
Baptiste Gaillard, Pierre Landry, } From Piziquid.
Pierre Gotrot, from Cobequid.
Pierre Doucet. François Bourg, } From Chignecto.
Alexandre Brossart, Chipodie.

The council having taken a letter they offered into consideration, decided that the French inhabitants must take the oaths of allegiance unconditionally, and that their priests must have the governor's sanction before they officiated. On the 1st of August, (12 Aug't., n. s.,) at a council held on board the Beaufort, the '*declaration*' was read to the deputies, and they asked "Whether, if they had a mind to evacuate their land, they" "would have leave to sell their lands and effects?" His Excellency answered them: that by the treaty of Utrecht there was one year allowed them from the surrender of the province, wherein the French inhabitants might have sold their effects: but that at present, those that should chuse to retire, rather than be true subjects to the king, could not be allowed to sell or carry off anything.—The deputies then begged leave to return to their departments, and consult with the

inhabitants; upon which they were warned, that whoever should not have taken the oath of allegiance before the 15–26 October, would forfeit all their possessions and rights in this province. They then asked leave to go to the French governors, and see what conditions might be offered to them. His Excellency's answer was, that whoever should leave this province without taking the oath of allegiance, should immediately forfeit all their rights.—The council proposed to his Excellency to order all the priests to come to Chebucto as soon as possible. Accordingly, the secretary was directed to write to messieurs d'Enclaves, *(Desenclaves)* Chevreuil, *(Chauvreaulx)* and Girard, to repair hither. On the 1–12 August, a proclamation was issued, requiring all the French inhabitants to take the oath of allegiance by the 15–26 October, which was issued in the French language.

Mr. John Bruce, (or Brewse), engineer, was employed by the governor to prepare a plan of the intended town of Halifax; and this having been done,—on the 7 August, o. s., (18 Aug't., n. s.,) a proclamation was issued by Mr. Cornwallis, in the following terms: "Whereas 'tis proposed to give out the allot-" "ments of ground in the town of *Halifax* to-morrow morn-" "ing, being tewsday, the eight of August, all heads of familys" "that are settlers, are hereby required to assemble by seven" "in the morning, with their overseers; and single men are" "desired to form themselves into familys,—four to a family;" "and every family to chuse one to draw for them. And Mr." "Brewse, the engineer, will be present, with assistance, to" "distribute the lots according to such directions as he has" "received from me." Mr. Brewse's plan was sent to the duke of Bedford.

Licenses to sell liquors were issued by the government, on each of which a tax was paid of one guinea a month for the use of the poor. The number granted from July to December, inclusive, was eighteen.

13–24 August, Mr. Edward How was sworn in as a member of the council,—and the settlers were ordered to cast up a line of defence round the town, and the pay for their work to be 1s. 6d. a day.

The Albany, captain Rous, had been sent, 9-20 July, to look after the reported movement of the French to restore and occupy the old fortress at the mouth of the river St. John; and Mr. How, whose intimacy and reputation among the French inhabitants and the Indians was very great, was sent with Rous to assist in negociating. When they got to the harbor of St. John's they found no one at the old forts, and for some time saw no inhabitants at all, either French or Indians. At last a French schooner came there, laden with provisions. Capt. Rous took her, but offered to release her, provided the master would go up the river and bring down the French officers. Accordingly, the master went up stream in his canoe, and the next day a French officer, with 30 men and 150 St. John's Indians, with French colors flying, came directly opposite to the Albany, and planted their colors on the shore, within musket shot. Capt. Rous sent Mr. How to order them to strike their colors. The officer made great difficulties and many apologies. Capt. How answered, that he did not come to reason the matter, but to order it to be done—that he could not answer for the consequence if it was not done immediately. The officer begged him to propose to captain Rous, to allow him to march back with the colors flying, and he would return next day without them. Mr. How carried the message to captain Rous. Capt. Rous repeated the order that the colors should be struck that instant, which was accordingly done. The French officers were then invited on board the Albany, and Cornwallis's letter was delivered to them. To justify themselves, they shewed their instructions from the governor of Canada. There were two letters from *M. de la Galissonière.* In the first, he ordered them to begin a settlement—in the second, he countermands this till further orders, but requires them to prevent the English from settling there. Capt. How, after this, held several interviews with the Indian chiefs, and proposed that they should send deputies to wait upon Cornwallis, and to renew their submission to the king of England. This, after deliberation, they unanimously agreed to, and thirteen Indians were appointed to go with him to Chebucto, to renew the treaties and make submission, viz't.: three deputies

from the St. John river tribes, the chief of the Chignecto Indians, and nine other Indians selected for the purpose. These were ordered to go thither entirely without arms, not even having a hatchet,—in token of their amity and full confidence in the English rulers; and having got to Chebucto with Mr. How, on Saturday, 12–23 August, on Monday following, the 14–25 August, they appeared before the governor and council on board the Beaufort.

The governor bid them welcome to Chebucto, and asked them what was their view in coming from St. John. *Indians:* Captain How told us your Excellency ordered us to come, and we came in obedience to your orders. *Governor:* I have instructions from his majesty to maintain amity and friendship with the Indians, and to grant to those in these provinces all manner of protection. *Indians:* We have seen the last treaty with France, and are glad of it. *Governor:* I am willing to enter into treaty with the Indian chiefs, and with those of the St. John's Indians in particular. Have you authority for that purpose? *Indians:* We reckon ourselves included in the peace made by the kings of Great Britain and France. *Governor:* I ask if you are impowered from your chiefs to make a particular treaty with me? *Indians:* Yes, we come on purpose. *Governor:* From what tribes and from what chiefs are you delegates? *Indians:* I from Octpagh, the chief François de Salle; ——— from Medoctig, the chief Noellobig; ——— from Passamaquoddy, chief Neptune Abbadouallette; ——— from the Chinecto tribe, Jean Pedousaghtigh, for himself and tribe. *Governor:* Do you remember the treaty made with your tribes in 1726? (1725.) *Indians:* Yes; some of us were present when it was made. *Governor:* Will you have it read to you? *Indians:* We have a copy of it ourselves, and we are come to renew it. *Governor:* Have you instructions from your tribes to renew the same treaty? *Indians:* Yes. *Governor:* Then 'tis necessary that the treaty be read. (Accordingly, it was read in French, and interpreted from French into their language by Martin, the Indian, and André, the interpreter from Minas.) Do you agree to renew every article of the treaty now read to you? *Indians:* Yes. *Governor:*

Then I shall order a parchment to be ready for you to sign. to-morrow, and captain How shall carry it to St. John's to be ratify'd. *Indians:* Agreed. *Governor:* Do you know what became of five of capt. Gorham's Indians, that were taken at Goat island? *Indians:* Marin carried them to Quebec. *Governor:* Do you know where Chesis is, capt. Sam's brother? *Indians:* At the *Trois rivières*, near Quebec. *Governor:* Do you know who killed captain Gorham's men at the river St. John's? *Indians:* Three of Passamaquaddy and one of the Penobscot Indians, who knew nothing of the cessation of arms. On the following day, tuesday, 15–26 August, the governor and all the council (except colonel Horseman) being met on board the Beaufort, the Indian delegates were also present, and the treaty being prepared, was read and signed, (see it in appendix;) and on the 20–31 August they returned by sea to St. John's, with Mr. How, who carried presents for the chiefs and the tribes, and was to bring back the treaty ratified.

An immense quantity of stores had been brought from Louisbourg when it was restored to the French. It became necessary to detain many of the vessels at Chebucto in consequence, until storehouses could be erected to receive them. Besides regimental stores, there was a vast quantity of provisions, and endless ship loads of ordnance stores. This *embarras des richesses* proved a positive hindrance to the work they had on hand. One ship, with ordnance stores, was sent to Annapolis. By the 20–31 August, the town was laid out, and every man knew where to build his house. Cornwallis wished the settlers to work a few days to throw up a line of defence round the town, but he could not persuade them to do it. They, no doubt, thought it more essential to have a roof to cover them from the severities they looked for in a Northern winter, than to spend their time in a period of peace to make warlike lines of defence. I cannot approve of their judgment in this, surrounded as they were by Indians who were then, as the Canadian governors said, irreconcileable enemies to the English; but the course they pursued was natural enough under their circumstances. Governor Cornwallis contracted for the frames and materials to erect wooden buildings for bar-

racks and officers' quarters, to be brought by sea from Boston. Boards, he says, he cannot procure under £4 per 1000 feet, the price being raised by a dry season, unfavorable to the work of saw mills. He was obliged to obtain a large quantity to help the people to get under cover. He had sent an officer to Boston, on purpose to get lumber at fair prices. 20–31 August. Many houses were begun, and huts, log houses, &c., already up for more than half a mile on each side of the town. (The original limits of the town extended South to Salter street, and North to Buckingham street, being about half a mile on the shore and about one quarter mile inland: This plan, however, was soon after extended both North and South.) A good many people from Louisbourg settled at Halifax at this time, and several from New England.

On 16 August, n. s., M. de Boishebert, who commanded the French party from Canada at St. John river, wrote to governor Cornwallis, disavowing any intention of fortifying or building at St. John, but stating that his orders from the marquis de la Galissonière were not to allow any one else to build there, till the right of possession should be settled between the two crowns.

The first instance at Halifax of a regular trial for a capital offence, occurred this season. One Peter Carteel had killed Abr. Goodside, the boatswain's mate of the Beaufort, by stabbing him, and had also wounded two other men. The governor and council sat as a general court to try him. 31 August, o. s., (11 Sept., n. s.,) a grand jury found the bill against him — a petit jury found him guilty of murder, and he was hanged under a warrant from the governor 2–13 Sept'r., 1749. There was a tradition that a large tree was used instead of a gallows in the earliest years of Halifax. This unhappy child of the forest stood near the market square.

Mr. Mascarene having spent about six weeks with the new governor at Chebucto, returned to his command of the garrison at Annapolis, where he arrived 24 Aug., o. s., (4 Sept., n. s.) He was instructed, on his arrival there, to detach one captain, three subalterns and one hundred men, to Grand Pré, where they were to be quartered in three or four of the most contig-

uous houses, to be rented for the purpose. The block-house at Annapolis was to be taken down and transported to Mines, and to be re-erected in the centre of the houses hired as barracks, and the whole to be enclosed with palissades. The position of this block-house at Annapolis was probably on that part of Dauphin street where it is widest.—Lieut. Joseph Gorham was sent in the Wren, with a party to Canso, to bring hay from that place, and to watch the French.

On the 6–17 September, deputies from the French districts appeared before the governor and council, and presented a letter or address from the French inhabitants, signed by 1000 persons. In this, after some polite phrases, they assert that governor Philipps engaged to give them all their privileges, &c., on taking the oath of allegiance, with an exemption from bearing arms; profess to think that if the king knew their conduct he would not propose an oath to them, which must put them in danger of their lives from the Indians.—If they were to swear unconditional allegiance, they would surely become victims to their *barbarous fury*. The most important part of this document is comprised in the following: "Monseigneur, Les " "Habitans en general de toute l'étendue de ce pais sont enti- " "erement resous de ne point prendre le serment que V. E. " "exige de nous, mais si V. E. veut nous accorder notre ancien " "serment qui a ete donné dans le Mines à M. Richard Phi- " "lips, avec une exemption d'armes a nous et à nos hoirs, " "nous l'accepterons. Mais si V. E. n'est point dans la reso- " "lution de nous accorder ce que nous prenons la liberté de " "demander, nous sommes tous en general dans la resolution " "de nous retirer du pais. M. S. nous prenons la liberté tous " "en general de supplier V. E. de nous dire si S. M. a annullé " "notre serment que nous avons donné a Gen. Philips. Ce " "qui fait peine à tout le monde c'est d'apprendre que les " "Anglois veulent s'habituer parmi nous. Sentiment general " "de tous les Habitans nous signés." "My lord: The inha- " "bitants in general of the whole extent of this country are " "wholly resolved not to take the oath which your Excellency " "exacts of us; but if your Excellency will accord us our " "ancient oath, which was taken at Mines to Mr. Richard "

" Philips, with an exemption of arms to us and our heirs, we "
" will accept it. But if your Excellency is not disposed to "
" accord us what we take the liberty to ask, we are all in gen- "
" eral resolved to withdraw from the country. My lord, we "
" all in general beg leave to pray your Excellency to tell us "
" if his Majesty has annulled our oath which we took to gen- "
" eral Philips. It gives everybody pain to learn that the "
" English wish to settle among us. This is the general sen- "
" timent of all the inhabitants undersigned." Cornwallis answered them (in French) in the following terms: "We have 'reason to be much astonished at your conduct. This is the 'third time you have come here from your districts, and you 'only repeat the same things without the least alteration. 'To-day you present us a letter, signed by a thousand persons, 'wherein you openly declare that you will not be subjects of 'his British majesty, but upon such and such conditions. 'Apparently, you think yourselves independant of all govern-'ment, and you would wish to treat with the king upon that 'footing. But you ought to know, that since the end of the 'year stipulated in the treaty of Utrecht for the evacuation of 'the country, those who chose to remain in the province be-'came at once subjects of the king of Great Britain. The 'treaty declares them to be so. The king of France declares 'in this treaty that all the French who should remain in these 'provinces should be subjects of his majesty. Indeed it would 'be contrary to common sense to suppose that one could 'dwell in a province, and possess houses and lands there, with-'out being subjects of the Sovereign of the province. Thus, 'gentlemen, you deceive yourselves if you think you are at 'liberty to choose whether you would be the king's subjects or 'not." He went on with similar reasoning, shewing them that their allegiance was equally binding without the oath. That if general Philips granted them conditions, he was wrong in so doing. That he reasons with them from pity, and sees they are led astray by interested advisers. They had better shew their good will and loyalty by sending hands to assist in the public works, instead of holding consultations and sending messages to the French governors. Tells them he has sent

troops to Mines, and wishes them to give the soldiers assistance and provisions, for which they will be paid in ready money. Asks them to send fifty men here within ten days, "to help the poor in building their houses to shelter them" "from bad weather." They will be paid for their work in ready money, and receive the king's rations.

A commission was now determined on to settle the boundaries and extent of Nova Scotia. On the part of England, governor William Shirley, and William Mildmay, Esq'r., were named, and France appointed messieurs Etienne de Silhouette and the marquis de la Galissonière. (Silhouette was born at Limoges, 5 July, 1709—died 20 Jan'y., 1767.) On 11 Sept'r., 1749, Shirley embarked at Boston for Europe, to act in this commission. (Their conferences began in 1750, and broke off in 1753.) The claims of both sides were so conflicting, involving the title to a great territory, that there was no possible mode of reconciling them, and compromise was equally hopeless. It was not merely Nova Scotia that caused the difficulty, but the great and valuable regions now forming the Western states of the American republic were coveted by both nations, and France, by erecting forts in that wilderness, aimed at uniting Canada with Louisiana, and hemming in the English colonies, so as to leave them but narrow possessions on the Atlantic coast. The contest for power in India was also then earnest between the two crowns, who, in the treaty of Aix la Chapelle of 1748, had rather made a truce than a genuine peace.

At *Halifax*, the troops were employed in making a continuous barricade of logs and brush around the town. A square fort had been finished on the hill above. The soldiers also were clearing a space of thirty feet wide outside the line, and they threw up the trees they had removed to form the barricade. This work was intended to protect the town against the Indians. Cornwallis received information from all directions that the Indians of Acadie and those in the island of St. John, under the direction of de Loutre, were designing to molest the new settlement in the coming winter, and that the French were exciting them. The settlers of Halifax did not

seem at all alarmed on this account. The government, however, very prudently took all possible precautions for their safety. Those who built houses outside the bounds of the town, in most instances made them of logs, which are musket proof, and arms were given to them for their protection. The governor says, 11–22 Sept'r., that there were victualled last week 1574 settlers. He also armed such of the settlers in the town as he could trust with the weapons, and sent an order to Boston for lamps to light the streets in the winter nights. Captain Gorham was stationed, with his company, at the head of the bay, (Bedford Basin), there to remain all the winter. He carried with him materials of all kinds for barracks, and an armed sloop was ordered to assist him. The detachment ordered from Annapolis to Mines in August had not got there by the second week of September. Colonel Cornwallis, on this, felt aggrieved, and he, referring to general Philipps' regiment and government, calls his conduct scandalous and shameful. Says the regiment is no better prepared for service, than if raised yesterday: "*there never was such another in any ser-*" "*vice.*" Says Philipps allowed a reserve to the oath of allegiance—received money for public works without disbursing one penny, particularly for Canso—never allowed the men half their clothing. He is told not one of them ever had a knapsack or havresack.—It is but just to remind the reader that the assertion of the French of the reserve in the oath granted them by Philipps, does not appear to be well founded; although ensign Wroth and Mr. Armstrong made concessions that were not justifiable. The charge of receiving money from the crown for works at Canso, Philipps had openly and boldly denied as wholly untrue when it was first circulated. The want of clothes suffered by the soldiers of his regiment for many years, is a fact that cannot be gainsaid. It may have originated in his avarice, which is called an *old gentlemanly* vice, or at his great age he may have been incapable of looking after his duties, and subordinate agents have been the guilty parties. Cornwallis says that the lieutenant colonel (Mascarene) was in fault to suffer so many abuses that he himself complains of, but that he is worn out, "and has been"

"himself abused by every officer in the fort, from the captain" "to the ensign." The garrison of Annapolis seems to have been very unfortunate. In 1715, before Philipps being there, governor Caulfield complains of their not getting pay or provisions, and having had to live a considerable time upon half allowance. In the year 1716 Caulfield says: "The garrison," "in my opinion, deserves better treatment than it has hitherto" "met with, and I am very uneasy to find that no bedding nor" "cloathing is forwarded for the troops, whose miserable con-" "dition are objects of pity, notwithstanding my frequent" "repetitions of their necessities." It is certainly sad to find the conquerors of Port Royal living in destitution there, as it is to observe those of Louisbourg perishing by thousands in discomfort so soon after their great achievement. But these reflections belong rather to the moralist than to the writer of annals.

August 19–30. The Indians took twenty Englishmen prisoners at Canso. Five of them were settlers, who went there to procure hay; the others belonged to vessels from Boston. They also seized one of the English vessels. The Indians alleged that they did so, because one Ellingwood, a New England man, who had ransomed his craft from them for £100, and left his son as hostage for the payment, did not fulfil his promises, although colonel Hopson had advanced him the money. When Cornwallis heard of this, he sent two armed cruisers, with soldiers on board, in order to recover the prisoners. However, they had been in the meanwhile carried to cape Breton, and the French governor, Desherbiers, sent sixteen of them to governor Cornwallis at Chebucto, and placed the remaining four on board of their own vessel, then at Louisbourg. Cornwallis, at this time, says not one Indian has appeared in this bay (Chebucto) for weeks past.

On 30 August, o. s., (10 Sept., n. s.,) a ship arrived from Liverpool, (G. B.,) with 116 settlers. She had a passage of nine weeks; all were in good health. Two streets were immediately added to the plan for their accommodation. Cornwallis now praises the settlers for their good behavior of late. He gives his opinion, that if the Indians begin war again, there

should be no peace ever again made with them, as by an addition to the forces by sea and land, it would be practicable to *root them out* entirely.

In September, information was sent by capt. Handfield and lieutenant Glazier, stationed at Mines, to the governor, to the effect that two merchantmen, belonging to messrs. Donnel and Winniett, had been attacked by the Indians at Chinecto, (Chignecto), and that three Englishmen were killed and seven Indians killed or desperately wounded. Eight had gone on board one of the English vessels, under pretence of traffic in furs, and endeavored to destroy the crew by surprise. As de Loutre was at this time among the Indians, the governor and council believed he was exciting them to war, and resolved that a letter should be sent to Desherbiers, the French governor at Louisbourg, requiring him to recall de Loutre, and notifying him that if any French subjects enter this province without permission and join the Indians, it must be looked upon as a breach of faith and friendship, of which his Britannic Majesty should be informed.

On saturday, 30 Sept'r., o. s., (10 Oct'r., n. s.,) the Indians committed acts of hostility at a sawmill that had been erected in Chebucto bay. (Six men, without arms, were sent out by major Gilman, to cut wood for the mill. Of these six, four were killed and one made prisoner by a party of Indians who had lain in ambush. The sixth man made good his escape from them. The saw mill was near Dartmouth cove.)—Next day, sunday, the governor and council met on board the Beaufort,, (1–12 Oct'r.,) messrs. Horseman, Lawrence, How, Gorham, Green and Salusbury, attending. They decided not to declare war against the Indians, as that would be "in some sort to own them a free people"—that they ought to be looked upon as rebels to H. M. government, or as *banditti ruffians.*—War, however, was to be made on them—a reward offered for prisoners and for scalps,—major Gilman to raise another independant company of 100 men, and captain Wm. Clapham a company of volunteers, to scour all the country round the bay.—A further present of 1000 bushels of corn was voted to the St. John Indians.—On the monday, October

2–13, a proclamation issued, reciting the Indian hostilities recently committed at Canso, Chinecto and Chebucto, and ordering all officers, civil and military, and all H. M. subjects, to take and destroy the Micmacs, and offering *ten guineas* for each Indian, living or dead, "or his *scalp*, as is the custom of" "America." Oct'r. 4–15. Major Gilman was now instructed to raise his company, and to get them hatchets, haversacks and snow shoes. (The snow shoe, called by the French *raquette*, resembles the racket used by ball players. It is used to get over the deep snow without sinking.)—The Indian custom of taking off the scalp of a slain foe, does not seem to have had its origin in any desire to mutilate the corpse, but was used to preserve evidence of a warrior's merit, to be judged of by the number of scalps he could hang up in his wigwam, or wear at his belt, or as fringes to his war dress. How far the European settlers, French or English, were justifiable in offering to buy scalps, is a different question. That this practice was long pursued both in Canada and New England, is beyond doubt. Within three days after he was authorized, capt. Clapham raised 70 volunteers, out of whom he selected 50, and began to scour the woods around Halifax; and Gorham sent out detachments all round the bay. Major Gilman went to Piscataqua to enlist his company of 100 men, engaging to return with them before December.

By the 17–28 October, about 300 houses were covered in in the town, two forts finished, and the barricade around it completed. About thirty French inhabitants had come there at the governor's request, and were employed in the works in progress. Some of them likewise cut a road from the head of the bay (Basin) to the town.

Desherbiers' letter to Cornwallis of 15 October disavows, on behalf of the king of France and of himself, any connection with the abbé de Loutre's actions against the English rule. De Loutre was sent by the French government as missionary to the Indians, and came to Louisbourg on his way. As governor of cape Breton, Desherbiers has no power to recall him, as the mission is not in cape Breton. Denies sending any French into Nova Scotia to cause trouble, begs Cornwallis to

arrest any such person, and if he should belong to Desherbiers' government, promises to punish him. Expresses horror and indignation at the cruelties and treacheries of the Indians, who, he states, preserve their original ferocity, in spite of the attempts to inspire them with principles of religion. Disavows all connection with the hostile conduct of the Indians, and professes every desire to keep up union and good understanding between the French and English nations.—The French inhabitants repulsed by Cornwallis in their demands to modify the oath of allegiance, which they had supported by 1000 signatures, prepared a petition to the king of France, in which they specify their grievances and beg his intervention. This was said to be written by de Loutre.—It appears by the letter book of the Annapolis government that in lieutenant governor Doucett's time (in 1717) the French inhabitants, when called on to swear allegiance, pretended fear of the Indians killing them if they did so; but offered to take an oath, leaving them free from taking up arms. Doucett attributes their disloyalty to the teachings of the priests, who led them to believe the pretender would soon rule in England.—Cornwallis, who often used strong expressions, calls de Loutre "a good for nothing" "scoundrel as ever lived."

October 22, o. s., sunday, at a council held in the governor's apartment, the French deputies were admitted to make return of the election of new deputies, and next day the governor, at their desire, gave a written approval of the abbé Maillard as a curé in this province.

Monday, Nov'r. 6–17, in council. Cutting down or barking trees within the forts or barricades was prohibited, in order to keep those that remain as ornament and shelter to the town. By proclamation of next day, £1 penalty and 48 hours imprisonment were to be inflicted for each tree so destroyed, but this was not to hinder any one from cutting down trees on his own lot.

In September or October of this year, 1749, M. la Corne, an experienced French officer, was sent at the head of about 70 regular troops and a party of Canadian irregulars, to take post on the isthmus of Chignecto. La Jonquière, the gover-

nor general of Canada, wrote a long letter to Cornwallis, dated Quebec, 25 Oct'r., 1749, acknowledging his letter of 15 Aug't., complimenting him personally, and speaking of the mutual friendship to be expected between the two nations since the peace was concluded. He approves of what *de la Galissionère* has done, and blames Mascarene. Speaks of his own liberality in exchange of prisoners. He proceeds thus: "As to the" "river St. John, M. the marquis de la Galissionère did per-" "fectly right in sending a good detachment thither. You" "should not be ignorant that I have sent one to the settle-" "ments of Delkekoudiack, Memerancoucgs, and Chipudy." "The officers who command these posts are ordered to keep" "them, and not to allow of your forming any settlement there" "until the true limits of Accadie and New France shall be" "regulated by the two crowns." He declines interfering with the bishop. ——— Henri Marie de Creil de Pontbriand, the bishop of Quebec, wrote 28 Oct'r. to Mr. Cornwallis, claiming the right to send priests into the province, as religious freedom had been promised the Acadians. He shews that the distinction of allegiance to different powers does not conflict with the religious jurisdiction. He intimates a desire to visit the province. Governor Cornwallis replies to the bishop, (1 Dec., o. s.,) and says he would be happy to see him here, but his majesty's orders would not allow the exercise of his episcopal functions here. He does not refuse the Acadians to have their priests;—at their request he has just issued a passport for the abbé Maillard from Isle Royale. "Could you have "sent de Loutre as missionary to the Micmacs? Is it for their "good that this priest excites these wretches to exercise their "cruelties against those who have shewn them all sorts of "friendship? Is it for their interest that he hinders them "from unison with a civilized and Christian people, and from "enjoying all the advantages of a mild government? If you "have given him this mission, I am certain you have not "ordered him to lead his Indians to their own ruin and against "the allies of their king." He tells him he has issued an ordonnance, forbidding any priest performing his functions without his, the governor's license, under pain of legal trial

and punishment. Cornwallis replies, 1–12 Nov'r., to la Jonquière. He expresses his surprise at his sending troops to seize territory, the right to which is to be otherwise settled. States the rule that no change should be made under such circumstances. Father Germain writes to Cornwallis 18 Nov. He says the Indians of St. John river intend to help their brothers, the Micmacs, and that the latter have sent deputies to Canada to request assistance from the Canibas and Hurons.

At a council held at the governor's, 20 Nov'r., o. s., it was resolved that the general court should be held twice in every year, viz.: on the last tuesday of April and the last tuesday of October. 22 Nov'r., o. s. Richard Bulkely is mentioned as the governor's aide de camp. 6 Dec'r., o. s. In order to form the settlers into a militia, the council resolved, that a proclamation be issued, ordering all settlers from 16 to 60 years of age to assemble upon the parade on sunday after divine service, and to draw up in the order following: Those of the quarters of Ewer and Collier, to face the harbor; those of the quarters of Galland and Foreman, to face the citadel; those of Mr. Callender's division, at one end of the parade. 6–17 Dec. Capt. John Gorham was ordered to march his company to Pesiquid, to clear the road of any Indians who might be there to interrupt the communication. Governor Cornwallis writes 7–18 Dec'r. to the duke of Bedford, complaining of French encroachments, and asking for additional forces. He says this country would be of more value to the French than the mines of Peru or Mexico. Wishes a fort erected at Chignecto. The French inhabitants have cleared a road 18 feet wide all the way from Mines to Halifax.

On 27 Nov'r., o. s., (8 Dec'r., n. s.,) the Micmacs and St. John's Indians united, about 300 in number—suprized lieutenant Hamilton and 18 men, who had been detached by capt. Handfield from his fort in Mines, and made the whole party prisoners; and after several attempts on the fort, they retired towards Chignecto 4–15 Dec'r. Cornwallis writes to the duke of Bedford 18–29 Dec'r.: "As for the Indians, I am positive," "my lord, they can do us no great harm, and I am fully con-" "vinced that if the French had not set them upon it, and"

"supported them, they never would have thought of doing" "anything. I cannot think the French will openly send" "troops or Canadians against any of the outforts, far less to" "attack this settlement; but in all probability they will send" "officers with the Indians, and mix some Frenchmen disgui-" "sed. All the Indians together cannot take one of these forts" "by themselves." On the 13–24 December, information on oath was given to the government at Halifax, that certain persons named were with the Indians when they attacked the fort at Mines, commanded by captain Handfield; that they bore arms on the occasion, and assisted the Indians. The individuals charged were: Joseph Clement, Charles Hebert, François le Prince, Claude le Prince, Misqucess le Gerne, Charles le Gerne, Petit Jean le Gerne, Renauchon Aucoin, Joseph Vincent, François le Vache, and Charles le Gerne, junior, eleven in number, all inhabitants of the river de Gembert, at Piziquid. On this, captain John Gorham, member of H. M. council, was ordered to march to Piziquid with his company—arrest these parties—search their houses for arms, and bring them to Halifax; and as there was no officer at capt. Handfield's fort at Mines acquainted with the French language, captain Strasburger was sent there. Gorham got there too late to do anything. The Indians had dispersed, carrying their prisoners with them. Although they had continued firing at Handfield's fort for seven days without intermission, they did not effect the least damage. From this fort above 2000 shot were fired, but it does not appear that one Indian was killed.

APPENDIX TO CHAPTER XII.

(1.)

I, Joannes Pedousaghtigh, chief of the tribe of Chignecto Indians, for myself & in behalf of my tribe, my heirs and their heirs, and their heirs for ever; and we, François Aurodowish, Simon Sactawino, & Jean Battiste Maddouanhook, deputies from the Chiefs of the St. Johns Indians, & invested by them with full powers for that purpose, do, in the most solemn manner, renew the above articles of agreement and submission, and every article thereof, with His Excellency Edward Cornwallis, Esq., Captain General and Governor in Chief in and over his

Majesty's province of Nova Scotia or Accadie, Vice Admiral of the same, colonel in his Majesty's service, and one of his Bedchamber. In witness whereof, I, the said Joannes Pedousaghtigh, have subscribed this treaty, (and affixed my seal—copy of 1760) ; and we, François Aurodowish, Simon Sactawino, and Jean Battiste Maddouanhook, in behalf of the Chiefs of the Indian tribes we represent, have subscribed and affixed our seals to the same, and engage that the said Chiefs shall ratify this treaty at St. Johns.

Done in Chibucto Harbor, the fifteenth day of August, one thousand seven hundred and forty-nine. In the twenty-third year of his Majesty's Reign.

In presence of :

P. Hopson,
P. Mascarene,
Rob. Ellison,
James F. Mercer,
Cha. Laurence,
Edw'd. How,
John Gorham,
Ben. Green,
John Salusbury,
Hugh Davidson,
Wm. Steele,

} Members of the Council for Nova Scotia.

JOANNES PEDOUSAGHTIGH. *
FRANCOIS AURODOWISH. *
SIMON SACTAIVINO. *
JEAN BATTISTE MADDOUANHOOK. *

N. B.—A copy of the Indian treaty, made at Boston in 1725, was prefixed to the above.

1749. THE RATIFICATION OF THE ABOVE ARTICLES OR TREATY.

The articles of peace on the other side, concluded at Chibucto the 15 August, 1749, with his Excellency Edw'd. Cornwallis, esq., captain general and commander-in-chief of his Majesty's province of Nova Scotia or Accadie, and signed by our deputies, having been communicated to us by Edward How, esq., one of his Majesty's Council for said province, and faithfully interpreted to us by madame de Bellisle, inhabitant of this river, nominated by us for that purpose, We, the chiefs and captains of the river St. John's and places adjacent, do, for ourselves and our different tribes, confirm and ratify the same to all intents and purposes.

Given under our hands, at the river St. John's, the fourth day of September, one thousand seven hundred and forty-nine. (Copy of 1760.)

In presence of the undersigned witnesses :

Edw'd. How, one of his Majesty's council,
Nathan Donnall, John Wenn,
John Beare, Rob't. McKoun,
Matt. Winnet,
Mich'l. † Narrasoni, (Narrajoni), chief,
François † de Xavier, Archibaco Marguille,
Pierre † Alexander de Margille,
Augustin † Meyawet, native chief river St. Jean,
François † M.

(2.)

Extract of a letter from Nova Scotia, dated at Halifax, August 21, 1749, taken from a London Magazine. [*N. S. Gazette, May 27, 1758.*]

"As to this town, there is not its fellow in the world, for a man may catch as much fish in two hours as will serve 6 or 7 people for a whole week, such as cod, hallibut, turbot, salmon, skait, haddock, herrings, mackerel, smelts and lobsters, and they lye as thick as stones in Cheapside, so that Billingsgate is but a fish stall in comparison of it: and as to fruit, we have plenty of limes, peaches, apricots, rasberries and strawberries, all wild. We have got good rum at 3s. per gallon, and red and white port at a shilling a bottle; but there is one thing wanting, which is a pot of good London porter or purl."

(3.)

Lords of Trade to Gov'r. Cornwallis.

Whitehall, 16 October, 1749.

They acknowledge rec't. of his letters of 22 June, 24 July, 20 Aug't. & 11 Sept, Approve of his putting into Chebucto—his sending to Boston for transports—his detention of the transports, and most of his measures which they recapitulate in detail. They will endeavor to send out Foreign Protestants, as he suggests, They attribute the acts of the Indians at Canceaux, and the refusal of the French to take the oaths, to "the indirect practices and influence of the French of "Canada; and we cannot but look on such measures, and especially the sending "presents to the Indians within H. M. territories, as very unjustifiable, and cal-"culated to disturb the peace of H. M. subjects and Government."—"Your con-"duct, however, in this as well as in all other points, gives us the greatest satis-"faction."—"The measures you have taken to secure the settlement from the "Indians, and your caution to our own people not to be aggressors, are much to "be commended; but if the Indians should strike the first blow, it will certainly "be proper that they should severely feel your resentment. As to your opinion, "however, of never hereafter making peace with them, and of totally extirpating "them, we cannot but think that, as the prosecution of such design must be atten-"ded with acts of great severity, it may prove of dangerous consequences to the "safety of H. M. other colonies upon the continent, by filling the minds of the "bordering Indians with ideas of our cruelty, and instigating them to a danger-"ous spirit of resentment."

This letter is signed:

DUNK HALIFAX.
FRAN. FANE.
J. PITT.
DUPPLIN.
J. GRENVILLE.

(4.)

Halifax, October 29th, 1749.

Sir. You are to march early to-morrow morning from the Fort with your company to Pisiquid. Observe as you go along in what manner the French carry on the road, and what progress they make. In case you find that they want a force to protect them from the Micmacs, or that they think such a force is wanted, you

will post your companys in several strong detachments on the road. If they do not desire a guard, or think it unnecessary, you will continue the march so far as the French settlements, and if you hear of any Micmacs thereabouts, you will goe against them,—if not, you will return by the common road to your post at the head of the Bay, and give me an acc't. of your proceedings.

E. C.

To Capt'n. John Gorham.

To Lieut. Petishal.

Halifax, Decem'r. 8th, 1749.

Sir.

Having ordered Capt'n. Gorham two days agoe to march, which he has not complyed with, if he does not march within 24 hours after you receive this, it is my orders that you put him forthwith in arrest, and order the Ensign to march with 50 men to Pesiquid, to clear that road of any Indians that may be that way.

I am, sir, yours, &c.,

E. C.

9 Dec'r. Capt. Clapham is ordered to send his lieutenant, with 25 men, to the fort at the head of the bay, to-morrow morning, at break of day, to join Lieut. Pattishal.

(5.)

At a Council, held at the Governour's, on Saturday afternoon, the 16 Dec'r., 1749.

Present:

H. E. the Governor.

Capt. Jo. Rous.	John Horsman,	John Salusbury,
	Charles Laurence,	Hugh Davidson,
	Ben. Green,	Will'm. Steele.

"His Excellency read to the Council a letter from Lieut. Governor Phipps, and one enclosed from major J. K. Lydius, at Albany, giving intelligence of the Governor of Canada's having sent two vessels to Baye Verte, with 600 men, under the command of Ms. Le Corne & Lemmerie, with ammunition and stores of all kinds proper for a winter's expedition. That it was believed they were designed against Halifax. That they were likewise assembling as many Canada Indians as possible."

It was decided the settlers should fell the trees outside the town lines as far as they could, and that they should be assembled to-morrow on the parade, after divine service.

(6.)

Dec'r. 16. John Salusbury. Esq'r., the Register, is directed to register lot No. 25, north side of the town, 2d row of lots, to Capt'n. Alex. Murray, of Warburton's regiment.

(7.)

Dec'r- 27, (o. s.) All housekeepers were ordered to notify deaths within 24 hours to one of the clergymen, under pain of fine and imprisonment. Persons refusing to attend a corpse to the grave, when ordered by a justice of the peace, to be sent to prison. Vernon, the carpenter, was ordered 'to mark the initial' 'letters of the deceased upon his coffin.'

CHAPTER XIII.

1750. We have seen a singular assemblage of gentlemen and merchants—officers and men of the army and navy, who had been employed in the last war—a few Swiss emigrants—a number of persons from Louisbourg, who had been trading there for the previous four years, since the conquest, together with such New England people as came to take part in the settlement. In a climate, to which most of them were strangers, they no doubt had much to suffer. During the summer and autumn, many either remained on board the transports which had brought them from England, or obtained shelter under canvas or tarpaulin tents on shore, in some instances the trunks, bales and boxes, containing their goods and baggage, serving as a temporary floor to protect them from the dampness of the ground. Such persons as could find means to purchase the frames and lumber from the New England traders, contrived to erect small framed wooden houses, probably in no case exceeding one story in height. Cornwallis's house, at that time, is, by tradition, stated as one of but small dimensions. Provisions, however, were in plenty, and a brave and social spirit existed; and it appears that however the cautious feeling of the governors of the place was excited, the people felt little apprehension. We may therefore justly conclude, that during this, the first winter of the new settlement, cheerful and convivial sentiments were generally prevalent. However that may have been, the governor and his official advisers felt their position required the exercise of vigilance and caution. Capt. Gorham had made three young men

prisoners at Piziquid, and it was ascertained that some of the Indians from Penobscot had been with the party that attacked captain Handfield in his fort at Mines. On the 7–18 January, 1750, being sunday, a council assembled at the governors;—messrs. Lawrence, Green, Salusbury, Davidson and Steele, councillors, attended, and so did captain John Rous. Some inhabitants had petitioned that martial law should be put in execution, but the council did not consider the danger so great or imminent as to make it necessary. However, they desired his Excellency to appoint officers of the militia, and to order guards. Anxiety was expressed as to a store ship, called the 'Duke of Bedford,' then lying in Dartmouth cove, particularly if she should get frozen in. 10 January, o. s., the governor ordered all settlers between 16 and 60 to be formed into companies of militia, of 60 or 70 men each, in every quarter of the town. He appointed a captain and two lieutenants to each company. A militia guard of one officer and 30 men were to assemble every evening "at sunset, upon the gun" "firing," with arms, &c., and keep guard until sunrise. Every company was to exercise for one hour on sunday mornings before divine service.

13 January, o. s. Cornwallis hired the sloop York, Sylvanus Cobb, master, into his majesty's service, at £22 10s. 0d. per month, and agreed to insure £350 stg. on the vessel. Cobb was to go to Boston, and deliver Cornwallis's letter there to lieutenant governor Phips, and with his countenance to arm and victual the sloop, taking 40 or 50 men on board there, not to exceed 100 men in all in his crew, and to obtain one or more whaleboats. He was then to proceed to Chignecto, and apprehend de Loutre, if possible, for whose capture capt. Cobb should receive £50, and the crew of his sloop £50 more. Deloutre is called "the author and adviser of all the distur-" "bances the Indians have made in this province, and that" "he, as their chief, excites, directs and instructs them, and" "provides them from Canada with arms, ammunition, &c." As the inhabitants of Chignecto have, at his instigation, assisted the Indians, Cobb is to seize as many of them as he can, or if they abscond, to take their wives and children as hosta-

ges. He is also to search for arms everywhere in the vicinity. For every Indian scalp £10 stg. will be paid as prize money. The schooner Dove, Wm. Orne, master, was also ordered to take directions of lieut. governor Phips, at Boston.

2–13 Feb'y., the captain of the port reported that the Duke of Bedford, store ship, and the armed sloop lying at the cove by the saw mill, (Dartmouth cove) "were perfectly safe," "and that the ice was cut all around them every night."

A regulation was adopted by the governor and council for one year, prohibiting any suit being prosecuted here against any settler for debts contracted previously to his coming, in England or in the colonies.

Oliver Noyes, master of the Neptune, bound hence to Carolina, old England, was refused leave to ship five settlers as part of his crew.

13–24 Feb'y. The French workmen stated that 30 Indians had been all winter at Cobequid, and the government courier had not returned in more than a month. A party, consisting of captain Francis Bartelo, lieutenant Shaw, ensigns Murray and Cummins, and one hundred men, with 12 days' provisions and French guides, were ordered to take the direct road to Cobequid through the woods. They were to endeavor to surprise the party of Indians. They were also to apprehend Gerard, the priest of Cobequid, and the deputy of that district. Gerard and the deputy had been all along privy to and aiding in the motions and designs of the Indians, and had caused a courier, sent there by the governor with letters, to be stopped. They are, therefore, to be made prisoners, and their houses be searched for papers, arms and ammunition. Bartelo is to return to Halifax by what road he shall judge best. Gorham declared it impracticable to march to Cobequid in winter, whereupon Cornwallis says that Gorham is no officer at all. On the 23 Feb'y., o. s., a petition was received in council from the deputies of Canard, Grand Pré and Pisiquid, in favor of three young men, prisoners in Cornwallis fort at Halifax, but it was resolved to do nothing in the matter until the return of capt. Bartelo; but Cornwallis released them in March on account of their youth, and because their fathers were at Halifax work-

ing for government at the time. Serjeant Tate, of the militia, was sentenced to receive 20 lashes, for violence and insult to his captain, Mr. Callendar, proved by the captain and by the lieutenant, Mason. The next day it was agreed to grant permission to merchants to build wharves, reserving the right to remove them if the project of building a quay along the shore in front of the town should be adopted by the crown, Mr. Brewse, the engineer, and captain Morris, surveyor, having been consulted. In March, Gerard, the priest of Cobequid, (now Truro), and the four deputies of that district, viz't., Jean Hebert, Jean Bourg, Joseph Robichaux, and Pierre Gautrot, were examined by the governor and council, as to the stopping of the courier Pierre au Coin, who carried the governor's letters—as to de Loutre's having been there that winter, and the non-attendance of the deputies at Halifax, on which Bourg was liberated, but the rest detained.

Some of the disaffected at Pisiquid, with help from the Indians, about this time carried off three Englishmen as prisoners. Governor Cornwallis, in consequence, issued an order 12–23 March to captain John Gorham, to proceed with his company to Pisiquid, (now Windsor), and establish himself to the best advantage there until he could erect a block-house. He was to seize the property of traitors who had absconded, and to investigate the affair of the capture of the three Englishmen. Proclamations and letters in French were sent to the deputies of Mines and Pisiquid on the subject. Monday, 18 March, o. s.. Gorham marched. He arrived at the first houses of the district at noon, on Wednesday, 20 March, o. s., on this side (nearest Halifax) of the river St. Croix, and found the dwellings deserted. His advanced party going to cross the river, saw an Indian canoe, and soon after observed a body of Indians lying on the other side of the river among the bushes. The party advanced to the water side, and gave them a full fire. The Indians ran up the river side to prevent their getting to some houses, but in doing so came opposite to Gorham, who gave them another fire. Gorham took possession of a saw mill and two houses on the Halifax side of the river, and then remained on the defensive. He was himself

wounded in the thigh. Two also of his men were wounded, but none were killed. On the 23 March, o. s., (3 April, n. s.,) the English and Indian parties remained within sight of each other. Cornwallis sent reinforcements. The first messenger from Gorham reached the head of the bay in eight hours. Captain Wm. Clapham was ordered 22 March, o. s., to join Gorham, at Piziquid. Cornwallis also sent a company of regulars, under captain St. Loe, and two wall pieces—left the management to the judgment of Gorham and the other officers, stating the necessity of passing the river and driving away the enemy, and expressing his satisfaction with the conduct of Gorham and his party. The gov'r. Cornwallis, writes 24 March to capt. John Gorham: "Your remaining where you are, on St. Croix river, would by no means answer. You could not possibly keep the inhabitants in subjection. You could not be supplied with provisions but at their pleasure. The Indians might return to the same station and harrass you, and, being on the other side of the river, they would command provisions and stop your communication with Handfield; whereas when you are well posted at Piziquid, the Indians will not choose to come on this side of you, as there will be a difficulty to obtain provisions, and a risk of being cut off from hence. You have, with captains St. Loe and Clapham, force sufficient to hunt and attack the Indians wherever you hear of them. I would, therefore, have you to march directly to Piziquid, and post yourself at the Mass house, which you mentioned as the most proper place. You will keep captains St. Loe and Clapham till you are fixed. You are to scour all the country round, and shew them we are masters. Capt. Handfield's situation will be no small advantage to you. One of the schooners will be sent round in a day or two." The lords of trade write to Cornwallis 16 Feb'y., o. s., and say that gentler methods and offers of peace have more frequently prevailed with the Indians than the sword; and that any forcible measures that may induce the French inhabitants to leave their settlements, ought, for the present at least be waived, as the Canadians had made their settlements in the province to draw them over to them. They promise foreign Protestant settlers. Urge econ-

omy, as the grant of parliament has been exceeded. Suggest a reduction in the number of paid surgeons and apothecaries, and the dismissal of officer at saw mill. Call £2750 for rum and molasses a heavy item,

Parliament voted 16 March, 1750:

For expenses of the war in America—intended expedition against Canada, and succour of Nova Scotia,	£122,246	16	4
For transport and support of settlers in Nova Scotia,	36,476	3	10
For support of colony of Nova Scotia for 1750,	59,778	19	2

19 March, o. s. Cornwallis tells the lords of trade, that the deputies from Cobequid are confined in the forts. "The" "priest Gerard I keep in my house, not only to shew a regard" "to the character, but likewise to pick out some further intel-" "ligence from him. I told him in council he must remain" "here till the courier returns." He states that the peninsula of Halifax contains not more than 3000 acres, and that the town and suburbs stand on 800 acres. He suggests a settlement on the opposite (Eastern) side of the harbor as desireable, and he thinks the principal fishery will be at Chebucto. The winter had been mild and favorable, and the navigation never stopped. The earth had been covered with snow since the middle of January—about three feet deep in the woods. They had fine warm days and thaw, and the fishing schooners began about the 8 or 10 March, o. s., (19–21 March, n. s.,) to go upon the banks. Governor Cornwallis had got a frame put up for an hospital. He says the sick in the hospital ship had never exceeded twenty-five at one time. He was erecting a school house for orphan children, who should be cared for until they were fit to be apprenticed to fishermen. He had employed a number of French inhabitants to square timber for block-houses. (Several of the block-houses remained till within the 20th year of this century, and there is one still at Windsor, on Fort Edward hill.) He says: "I expect the" "frame of the church will be here next month from New"

"England. The plan is the same with that of Marybone" "chapel," (Marylebone.) During the winter of 1749–1750, the chief employment of the people was to secure the place from any attack of Indians and Canadians. The settlers were armed, and formed into a militia, consisting of ten companies, of 70 men each, besides the artificers. Labourers were constantly employed to raise the barricades and continue them to the water side, and block-houses were erected between the forts. (The block-house was made of squared logs, closely set together, roofed in, and the upper portion larger and over-hanging. Loopholes were left for musketry.) A captain and fifty men mounted guard every night near the parade, and a lieutenant and twenty men in each division of the town. The artificers formed one company by themselves. The whole militia amounted to 840 men. The communication between the new settlement of Halifax with Chignecto, and even with Cobequid, was shut off, and no one who went from Annapolis or Mines to Chignecto returned.

As we have already seen, governor Cornwallis sent captain Cobb (whom he calls a settler, who is thoroughly acquainted with every harbor and creek in the Bay (of Fundy), and who knows every house in Chignecto) to Boston, to lieut. governor Phipps, at Boston. Phipps called the council together, and had Apthorp and Hancock (merchants) before them, and the whole affair, which Cornwallis intended to be secret, was then made public. An advertisement was placarded in Boston, dated 30 Jan'y., signed by Cobb, referring to raising 100 men for the York, for Nova Scotia, to go against the enemy, stating prize money, &c. &c. The affair being thus made known publickly, would reach the French and Indians, and Cornwallis judged it prudent to order Cobb to proceed no further in it.

On friday, 30 March, (10 April), 1750, Cornwallis communicated to his council his intention to erect a fort at Chignecto, as the French had done already in that vicinity, and that he could spare a detachment of 400 men for this object. The council unanimously approved of this movement. April 4–15, 1750, major Charles Lawrence was detached for this purpose. He was to go to Piziquid and Mines to strengthen his force—

to establish his troops in Chignecto, and, if he could, to destroy the Forts the French had erected there. In April, the French deputies, viz't.: Jacques Teriot, of Grand Pré, François Granger, of rivière de Canard, Baptiste Galerne and Jean André, of Piziquid, petitioned, on behalf of the French inhabitants, for leave to evacuate the province, and to carry off their effects. This the governor refused them, and told them to sow their fields as usual, and that no one could hold land while refusing the oath of allegiance, and no one deserting the country could carry away his effects, which in such cases were confiscated to the king. The French deputies openly avowed that this application arose from coercion: that La Corne and Le Loutre had threatened them with a general massacre if they remained in the province. The French now took possession of all that part of Nova Scotia which lay on the N. W. side of the bay of Fundy, extending from Chignecto river to the river St. John. They burned the houses in Beaubassin to ashes, and carried all the inhabitants and their effects across the Missiguash, and there armed and formed them into companies.

The party under major Lawrence consisted of 165 regulars, and above 200 rangers—in all, 400 men. Captain Bartelo had command of the rangers. Almost all the officers on half pay at Halifax went as volunteers, and they rendezvoused at Mines. Captain Rous in the Albany, sloop of war, went round to meet them there, and another sloop came there from Annapolis. These vessels were to transport the troops, and had on board the necessary provisions and stores. One of them had timber for a small block-house. Rous got to Mines 18–29 April, and the expedition reached Chignecto 20 April, o. s., (1 May, n. s.) On their approach to the town, which consisted of about 140 houses and 2 churches, the Indians, acting, as was supposed, under the influence of the French commandant, reduced the whole place to ashes in a few hours, and the inhabitants, crossing the river, threw themselves under the protection of the French officers. The reason assigned for this destruction was that the town stood on what they chose to call English ground. The combined forces of Canadians, Indians, and revolted Acadians, amounted, it was said, to about 1500 armed men. These

having hoisted a French flag, major Lawrence sent them a flag of truce, and afterwards held an interview with M. La Corne, the commander. La Corne declared his determination to defend the right bank of the river as French territory until the boundary was settled between the two crowns. After this the English seem for a time to have retired to Mines, altho' they subsequently built a fort on or near the ruins of Beaubassin, which was afterwards called Fort Lawrence, while the French constructed fort Beausejour on what is now the New Brunswick side of the Missiguash about the same time the fort at Mines was strengthened.

15–26 May, the governor and council exercised their powers as a court of divorce, by granting leave to the husband, in a case of the wife's adultery, to marry again.

Friday, 25 May, o. s., (5 June, n. s.) A petition from the inhabitants of Annapolis was offered by Jacques Michel and Charles Prejean, for leave to retire from the province, in which, they said, that they never considered themselves as subjects of the king of New England. Petitions from Mines also were received: one for leave to retire—another to have M.Gerard as priest, to assist M. Chauvreulx. Gerard took the oath of allegiance, and gave his word of honor not to leave the province without permission of the governor, on which he was allowed to officiate. A full and particular answer was given by the governor to the deputies, in French, refusing them permission to go until the country was more peaceable, telling them they could not remove their effects, and suggesting that the election of deputies had ceased to be of use. It also contained many remonstrances on the subject of the kind and fair treatment they had met, and the discontent and disaffection they displayed. Governor Cornwallis, 30 April, o. s., assures the lords of trade of his frugality, but tells them that without money they could have had no town, no settlement, and indeed no settlers—that the public money cleared the ground, built the town, secured it, kept both soldiers and settlers from starving with cold or deserting, and had brought down almost 1000 settlers from the colonies. Lots in Halifax are now worth 50 guineas. If there was no public money cir-

culating, lots would be given for a gallon of rum. The money is laid out in building forts, barracks, storehouses, hospitals, church, wharf, public works—all that seem absolutely necessary. The saw mill was a failure—he had never got a board from it. Thirty men had been constantly kept there ever since the affair with the Indians. He bought lumber and put it in the king's yard this spring. The price had been as high, per thousand, as £5 and £6; lately he had got it at £3 10s., £3, and £2 15s. Boards were no longer given to settlers. May. A company of 100 rangers were ordered to be formed of volunteers, to serve under captain Bartelo.

Six deserters from Philipps' regiment were sentenced to death at Grand Pré. Cornwallis ordered two of them to be shot, and the rest reprieved; and three others of same corps were condemned to death for desertion and other crimes, and Cornwallis directed them to be hung, and their bodies hung in chains. Gov'r. Cornwallis, at this time, sent his secretary, Mr. Davidson, to Boston, to see lieut. governor Phipps, and to represent, *viva voce*, the dangerous state of this colony—ascertain the views of the legislature, and negociate for money and stores. He was also to ask for the Indian girl taken by Gorham, in order to have her exchanged. The nine deserters re-captured and tried had each informed major Lawrence of the encouragement and assistance they had received from the French inhabitants, and that money had been advanced to every one of them. Joseph le Blanc, Labrador, J. P. Pitre, and Pierre Rembour, who were implicated in this, were ordered to be kept for trial before the general court in August next.

In June, the governor and council ordered a market place in Halifax, to be appropriated for sale of black cattle and sheep. 2 July, the proprietors of lots were ordered to clear the street in front of their lots, to the middle.

A proclamation, dated 21 June, offered the reward of £50 sterling for every Indian prisoner brought in, and the same for the head or scalp of an Indian. This was countersigned by Archibald Hinshelwood, in the absence of the secretary, Davidson. In June, a soldier of Warburton's regiment was found guilty of desertion, and ordered to be shot. Charges

were preferred at the Plantation office against secretary Davidson, of trading and monopoly—misuse of his official powers, and fraudulent conduct in applying public money to his private speculations. Messrs. Green, Salusbury and Steel, were appointed a committee to enquire into the facts. The lords of trade inform the governor that new settlers are about to sail for Halifax. They direct him to fortify and settle Chignecto as soon as a regiment ordered from Ireland shall arrive. They disapprove of his making a settlement on the other side of Bedford Bay, at the public expense. (I think he intended one at Dartmouth.) In July, major Lawrence was made lieutenant colonel of governor Cornwallis' regiment, and lieutenant governor of Annapolis Royal. It now appears that the charges of this colony for 1749 amounted to £76,476 3s. 10d. sterling, which had been covered by the first vote of £40,000, and a further vote of £36,000 to meet the excess, while £40,000 more was voted for 1750. Cornwallis, in July, tells the lords of trade it will be impossible to confine the expences within this last sum, as all public works must in that case be abandoned. He had begun to clear George's island, and proposed to have some block-houses and a good battery there. The church which was then setting up, (St. Paul's), would cost £1000 by the estimate sent from Boston. The barricade made in the past winter had been only a 'temporary thing,' there not being time in the fall to run the palissades. This had been removed, and the palissade round the town was being erected. It would prove a better defence than the other, which, being composed of logs and brushwood, was subject to take fire, and had once endangered the town. The saw mill was let to Mr. Clapham. It could not meet the demand for boards and planks, and no one had begun to make clapboards and shingles. In the winter, quantities of lumber were made away with, in spite of all precaution, (probably used as fuel.) 30,000 bricks had been made, and proved good; but limestone had not been discovered in the bay or harbor. The daily expenditure of lime was six hogsheads, which cost 25s. per hhd. It was intended by the government at Halifax to erect a meeting

house for dissenters, a court house, a prison, and a gunpowder magazine.

Meanwhile, French agency was at work to encourage desertion. Fifteen of Cornwallis' regiment went off within a few days, "9 of which," he says, "were taken, 3 were hanged," "two shot. The chief agent employed in this affair was" "taken. He is to be tried, with two spies from Chignecto," "and a rogue from Cobequid, in the beginning of August," "before the general court. Several hundred pistoles were" "offered by the priest for the ransom of the agent." This agent was Joseph le Blanc. Governor Cornwallis had, in May, prepared a warrant to major Lawrence to hang him, but the council resolved he should be first tried. The French neighboring governments were endeavoring at this time to induce the Acadians to withdraw from under the British power. The governor says: "Hitherto few of the better sort have gone" "off. Some that went to St. John's island have made some" "overtures for liberty to return. Those of Mines seem incli-" "ned to remain, and behave well." The Hound, capt. Dove, the Trial, capt. Le Cras, are mentioned, and two sloops of war expected. Capt. Rous had ordered the Hound to visit St. John river, as a brigantine, with about 100 French soldiers on board, had been lately spoken with off La Heve. Lord Colvill had called in (with H. M. S. Success) on his return from Louisbourg. "I am extremely sorry," says Cornwallis, "to hear that M. Desherbiers goes back to France this sum-" "mer. He has behaved with great honor and sincerity." The causes of heavy expenditure of public money in this settlement were various. One was the detention of transport vessels. The Beaufort was costing 9s. 6d. per ton (monthly?) the Sarah, of 24 guns, £150 per month, and the Baltimore £155 per month. In July, 1750, Halifax was increasing in the number of houses and of settlers every day. The fishery was promising, and 10,000 quintals were ready for exportation. As to the land, no improvement beyond small gardens were yet attempted. Major Lawrence was engaged now in erecting a block-house and small fort upon Piziquid river, (since called Fort Edward, at Windsor.) Cornwallis says that the New

England provinces were so circumstanced that he could expect no assistance from them. He had ordered two companies of his own regiment hither from Newfoundland; and when he had these, and the regiment from Ireland, and the two sloops of war promised, he should lose no time in erecting a fort and making a settlement on the isthmus of Chinecto, where, he says, "the settlers will sit down upon as good land as in the" "world, and reap even this year without having sown." The Indians had given up to the French, at Tintamar river, the prisoners they had taken at Mines in the winter—those taken at the saw mill, and five taken lately near Chebucto harbor. (Tintamarre, a thundering noise, hubbub. *French.*) The French insisted that a *papoose* (Indian child) must be returned, and money, alleged to have been paid as ransom for the English prisoners by de Loutre, be refunded.

Captain Silvanus Cobb, in the provincial sloop York, under an order from captain Dove, of H. M. S. Hound, to join him at St. John's river, arrived there from Piziquid on 31 July, o. s. He saw a brigantine lying near the shore at the head of the harbor, which fired a gun on sight of the York. On this, Cobb fired another to leeward, and came to anchor under Partridge island, in the harbor. His men, whom he sent up in a whale-boat, were fired on by the French and Indians. He afterwards landed, being invited on shore, but on some misunderstanding was detained awhile, but managed admirably to get away with five Frenchmen and one Irishman, the crew of the brigantine, as prisoners. He was not able to get the brigantine away, but he took his own vessel up the harbor. Captain Dove did not get to St. John until 7 August, o. s., after Cobb had left. He did not enter the harbor, but sent his lieutenant in a whale-boat to reconnoitre. The lieutenant was induced to land, and kept until Dove wrote a menacing letter. The French stated their force at 56 soldiers and 200 Indians. They claimed the place as French territory, and their orders were to defend it. Four of Dove's crew had been captured near Annapolis by the Indians, 24 July, o. s., before he went to St. John, and were sent to Chignecto. Cobb, while at St. John, carried his vessel up the harbor, and discovered a small fortification by a little

hill, where the French were assembled, and had their colors hoisted. Boishebert, the commandant, was angry at this, and demanded to know what business the English had in that harbor. Fifty or sixty French inhabitants afterwards came in, upon order of Boishebert. The five Frenchmen Cobb had taken were sent by Cornwallis, without delay, to Louisbourg; the Irishman took service in the Albany, with captain Rous. The French officers told Dove that they had lent these six men to Cobb, but the men themselves confirmed Cobb's account of their capture.

APPENDIX TO CHAPTER XIII.

(1.)

(New York Documents, vol. 10, p. 43—Note)

Spencer Phipps was son of Dr. David Burnett, of Rowley, Mass. His mother's name was Spencer, and she was from Saco, Maine. On being adopted by his uncle, (great uncle?) Sir William Phipps, he took, by statute, the latter name. He was elected a councillor in 1722, and afterwards re-elected nine times. Next lieutenant governor of Massachusetts, from 1732 to his death, which occurred on 4 April, 1757. He administered the government from Sept'r., 1749, to 1753, and in 1756 and part of 1757.

(2.)

Whitehall, 29th May, 1750.

Sir. I am directed by my lords commissioners for trade and plantations to inform you that the Bearer of this, John Spurrier, master of the Ann, from Rotterdam, has on board his vessel 280 Foreign Protestants, or thereabouts, procured by Mr. Dick, merchant at Rotterdam. These, their lordships desire you will receive, and dispose of in the best manner you are able, as a means of encouraging others of their countrymen to follow, and that you will dismiss the vessel as soon as conveniently you can.

I have, &c.,

THOS. HILL.

To the Hon'ble. Edward Cornwallis,
Governor of Nova Scotia.

The board of trade, in their letter to gov'r. Cornwallis, of 26 June, say the Ann had sailed from Helvetsluys, with 312 foreign protestants on board, and they recommend a gentleman, John Eberhard Klages, a man of fortune, who had paid the passage of 16 men and one boy.

(3.)

(London Magazine for 1750, p. 196, 197.)

Extract of a letter from Halifax, in Nova Scotia, dated March 20, 1749, 1750:—

"We are all happily arrived in this country, after a voyage of two months and three days. At our first landing, we were obliged to live in tents, like soldiers in the field, having no other habitations; but were soon after ordered by our Governor to cut down a great number of trees, (all the country being a wood, quite wild and overgrown), to clear a large piece of ground, which we actually did, and finished this work, as we were ordered, in the space of six weeks, after which the country was divided among the new inhabitants by lots, 60 feet in length and 40 in breadth, being given to each settler to build their houses. There was no such thing as a carpenter or bricklayer, every one being obliged to be his own architect, and perform the work with his own hands—not so much as a workman was to be had, all having enough to do for themselves. The Government assisted us with boards & nails, which were brought from Boston, in New England, and every day we see some sloops arrive from thence with boards and shingles.

"Many of the English built very poor houses, and many of them none at all, being incapable of such business, and therefore were obliged to shelter themselves all the winter in their tents. The country is all a wilderness, as you may easily imagine, having never, from the beginning of the world been inhabited by any rational creature; for the natives are as wild as beasts: every thing growing and rotting of itself, without the least cultivation.

"The earth is good clay, and stony ground, and for what appears by that part which is cleared and the town built upon, there is good hope that any seed or plants will do exceedingly well, the soil above being a good black earth.

"Every thing necessary, as victuals and clothing, is to be had here: for ships are daily arriving. Meat is to be bought at a tolerable price. Beef, mutton and pork, from 4d. to 1½d. a pound. Coffee and chocolate for 6d. a pound. Bohea tea 7s. the pound. Green tea is indeed scarce, and at a very high price, and likewise fine sugar: what you buy in London for 7 pence is sold here for 16; and brown sugar bought at London for 3d. you must pay here 8d. for. Fowls, geese, ducks and wine, are at a tolerable price; and rum costs but half the money it costs in England. All that belongs to cloathing is extremely dear.

"Fish we have here in great abundance in summer time. There are lobsters, mackerels, cod, herrings, eels, rock fish, mussels, flat fish, and others, for which I have no name. This is a good provision, and to be had sometimes for nothing. Our fishery is daily more and more improved.

"When we first came here, the Indians, in a friendly manner, brought us lobsters and other fish in plenty, being satisfied for them by a bit of bread and some meat; but now they come no more, but are turned our adversaries; and when they get one of our people in their power, they will carry him along with them, and put him to death in a barbarous manner. They don't live in a certain place, but are here and there, running up and down the country. They are a very wild people; their clothes generally black and ragged; their hair black and long, like hogs' bristles, over their heads and faces. They live like beasts. Our soldiers take great pains to drive them away. and clear the country of them. We have

also some strong forts built for the security of the town. And now there are twice as many new inhabitants as arrived at first from England, a great many from Cape Breton and New England having settled here likewise; and we are assured that above 2000 more will arrive this summer from England.

"P. S.—If you know of any who intend to come over, let them bring no money, but tapes, thread, stockings, linen, &c., for they will double the value."

(4.)

(London Magazine for 1750, p. 141.)

Lieutenant general Richard Philipps made colonel of H. M. regiment of foot, late Dalzell's, (38 Regt.,) 30 March, 1750.

Honorable Edward Cornwallis, esquire, made colonel of H. M. regiment of foot, (40th), late Philipps.

CHAPTER XIV.

LASCELLES' regiment having arrived from Ireland, and two companies of Cornwallis's from Newfoundland, the governor lost no time in fitting out another expedition to Chignecto, and on the 19–30 August, (sunday), Lawrence, now lieutenant colonel, marched for Mines, with the regiment of Lascelles and three hundred men of Warburton's. Cornwallis says he never saw a detachment of better men. Captain Rous had, on tuesday, 14th August, sailed with six sloops and schooners for Annapolis Royal. The Fair Lady, a ship from England, sailed on thursday, 16th. They were to take in necessary stores at Annapolis, and thence proceed to Mines basin, where the Hound, captain Dove, and three small vessels there, were to join them. The troops were to embark at Mines for Chinecto, and carry with them three large frames for barracks, two block-houses, and all necessary materials. The Fair Lady was to carry officers' stores, the sick men, and women. Provisions, stores, tents and ammunition, were fully supplied.— When colonel Lawrence got to Chignecto, the landing of his force was opposed by a number of Indians and French inhabitants. His opponents were strongly entrenched. They had made use of the dykes for this purpose, and had made a *banquette* to fire over, and the dykes were cannon proof. It was supposed that this could not have been effected without the aid of the French party. Notwithstanding this opposition, the gallant and intrepid behavior of the English beat them out, although the defenders are said to have outnumbered them six fold. A schooner that led in was near being destroyed,

which Lawrence perceiving, did not wait for the entire landing of his troops, but put himself at the head of one hundred and eleven, who had got on shore—marched up boldly to the entrenchment, and received their fire, not a man of his offering to discharge his piece in return, until they were at the foot of the entrenchment, when his men poured in their fire, and the foe took to flight. On the English side there were six killed and twelve wounded. The loss of the enemy is said to have been considerable. We are told in a work called 'Memoirs' 'and letters of an impartial Frenchman,' p. 269, that the chevalier de la Corne, who commanded the French detachment, espied, on the 12 September, 1750, (1 Sept'r., o. s.,) in Fundi bay, seventeen sail of different sizes, which came to anchor the next day at Westkak, and the 15th some of them parted from the rest and arrived in Fundi bay. After landing, colonel Lawrence commenced to establish himself at Beaubassin. La Corne held his post on the other side of a small river, (the Missiguash.) La Corne sent to Lawrence to desire he would meet him in the middle of this small river, in a boat. Lawrence replied, that he had no business to be where he was, and that he had nothing to say to him. If La Corne wished to speak to him, he must come to him. Cornwallis recommends that colonel Lawrence should be made lieutenant governor of the province. He says the senior councillor, Mascarene, has sold out, and is worn out, and Mr. How not being a military man, is unfit. He describes Lawrence as a man of good sense and ability,—of great honor and veracity. (The governor of Annapolis received 10s. a day at that period.)

Captain Le Cras, of the Trial, captured a French sloop, the London, of 70 tons, in bay Verte, which had been employed to carry stores of all kinds, arms and ammunition, from Quebec to Le Loutre and his Indians. M. Bigot, the intendant of Canada's instructions to the master to follow the orders of Le Loutre or La Corne, the bills of lading endorsed by Le Loutre, and other papers and letters, were found on board of her, with four deserters from Cornwallis' regiment, and a family of Acadians. The prize and her papers were sent to Halifax, where, about the same time, the Alderney arrived from Europe

with 353 settlers. Their coming so late in the season, the governor says, distresses him much. This occurred in the latter part of August, o. s. Cornwallis, 21 August, o. s., sent lieut. Alexander Callender to Boston, to obtain 130 recruits to fill up the independant companies of captains Bartelo and Gorham. All provisions for settlers of 1749 were discontinued 13 Sept'r., 1750. 25 Sept., Benjamin Green acts as secretary. In council, 23 August, it was proposed to place the settlers who came in the Alderney on the Eastern side of the harbour, opposite George's island.

At a council held at the governor's, the 29th August, 1750. Present: His Excellency the Governor, John Horseman, Benj. Green, John Salusbury, Hugh Davidson, William Steel. His Excellency administered the oath of allegiance, &c., to the Hon'ble. Sir Danvers Osborne, baronet, (Sir Danvers Osborne, was member of parliament for Bedfordshire in 1747 — made governor of New York in June, 1753, and died a few days after his arrival in that province, in the same year. *See Lond. Mag.*, 1747 & 1753, *p.* 291 & 579), and nominated him one of H. M. council for this province, and he accordingly took his seat at the council board. (He had arrived at Halifax about 23 Aug't., 1750, in the Saltash, sloop.) On the 2 Sept'r. the council met, including Sir D. Osborne. His Excellency acquainted them with the arrival of 300 Germans, in the ship Anne. There were then 250 laborers employed, at 2s. a day, besides rum and beer. The Germans were ordered to be retained at 2s. per day for artificers, and 12d. for laborers, till their freights be paid. 23 Sept'r., the council resolved that labourers' pay in the works should be 18d. a day, besides provisions. 29 Sept'r., the council resolved that all settlers then here, or who should come before 1 Dec'r., should be entitled to one year's provisions from the time of their names being entered on the victualler's book.

In Oct'r., orders issued for supplying the settlers with stores and provisions, and lieut. col. Lawrence was empowered to pay ransom for English prisoners, and the sloop New Casco, capt. John Taggart, was manned and victualled to go to Chinecto. Nov'r 15, o. s., Benjamin Green was sworn into office as clerk

or secretary of H. M. council. At this time messrs. Bulkeley and Gates acted as *aides de camp* to colonel Cornwallis, without salary. Bulkeley was afterwards secretary of the province, and Gates became a general officer, on the American side, in the revolution of 1775.

In September, 1750, governor Cornwallis sent Mr. Davidson, his secretary, to England, to answer the charges made against him. He says it is inconvenient to him, but he would rather submit to it than anybody should have it to say that he protected him; for if what is contained in the charges made against him should be proved, it would have the appearance of protecting one of the greatest rascals living. He says he is no way attached to him, nor desires him to stay one hour in his employ, if he cannot clearly satisfy their lordships as to his behavior. He adds: "I must say there is not a person I" "know, more capable of executing the office he is in; and" "when I see the accusations against him, most of which I" "know to be false, I have reason to hope all will prove so." "There is one thing more: his haughty behavior to the peo-" "ple. Since I have been here, there is not a person, from" "the highest to the lowest, that has not had free access to" "me, at all times. Wonderful, that not one in all this time" "should have complained to me of his insolence." He states that captain Gilman has been dismissed some time, and capt. Clapham manages the saw mill. "The command of the" "Rangers is given to capt. Bartelo, a good officer, and one I" "can confide in. He has both prudence, activity and cou-" "rage. Gorham has my leave to go home, as he represents" "to me great sums are due him for raising and keeping up" "that company before I came here. He has the king's com-" "mission. Though I think him no officer, I can" (not) "dis-" "miss him." In September, Cornwallis asks leave to go home. He says he will not use it unless he finds the province is on a good footing, and Lawrence made lieutenant governor. He says: "Captain Bloss, a half-pay captain of a man-of-war, is" "come here. He has brought with him sixteen negroes—" "has built a very good house at his own expense, and is a" "sensible, worthy man. He is going home to pass some"

"accounts that is necessary, being abroad many years." When he returns, he begs their lordships to appoint him one of the council. We find no subsequent traces of this gentleman, except in the name of Bloss island, given to the island in Halifax harbor now called Lawlor's island. Cornwallis says of M. Desherbiers, the governor of Louisbourg, that his conduct had been very different from that of M. La Jonquière.—In the London Magazine for this year, p. 477, we find: "15 Oct'r.," "1750. Died, general Philips, lieutenant general of Horse," "aged near 100." This was possibly the late governor of Nova Scotia.

During this autumn, capt. Rous, in H. M. S. Albany, coming from the bay of Fundy, met with a French brigantine, the St. Francis, commanded by Vergor, and a schooner off cape Sable, laden with provisions, ammunition and warlike stores, bound to the river St. John, from Quebec. Rous fired a gun to bring her to. She kept on, and he fired another, and a third. On this, the brigantine prepared for action, and as the Albany ran up alongside of her, she poured a broadside, accompanied with small arms, into her, upon which an action began, and lasted four glasses before she struck. One midshipman and two sailors of the Albany were killed, and five men of the brigantine. The schooner got off to St. John. The brigantine was brought into Halifax harbor, and tried and condemned in the Admiralty court, (V. A.) Governor Cornwallis says this was the second vessel taken sent by the governor of Canada into a British port with arms, &c., for the Indian enemy. The French had this year, at cape Breton, a ship of 70 guns, two of 64, and two frigates; while there were but three sloops of war on the Nova Scotia station.

Colonel Lawrence had many things to overcome in establishing his post at Chignecto. The season was advancing; there were difficulties of navigation; while all materials and provisions had to be sea borne, the cattle having been driven off, and fuel had to be obtained and brought in by armed parties. Mr. Edward How, who possessed a knowledge of the country and an intimate acquaintance with both the French Acadians and the Indians, was selected and employed to accompany

Lawrence, and assist him in all he had to execute. By their united and indefatigable labor, they accomplished the objects of the expedition. The fort was completed, the barracks erected, and every preparation made for the safety and supply of the garrisons for the ensuing winter, as during four months governor Cornwallis thought they could expect nothing from Halifax, and that all communication would be cut off by the season, the wilderness and the roving parties of hostile Indians. It, however, proved that the winter was mild, and they at Halifax heard frequently from Chignecto. Lawrence conceived a favorable opinion of the place, situated in a fertile country, and believed it would make a noble settlement. How was desirous to obtain a peace with the Indians, and to procure the release of the English whom they held as prisoners. With these views, he held frequent conferences with Le Loutre, La Corne, and other French, under flags of truce. One day, (stated to be 4 Oct'r., o. s., London magazine for 1750, p. 370), La Corne sent a flag of truce by a French officer to the water side, on a small river that parted the French and English troops, (the Missiguash.) *Captain* How, as Cornwallis calls him, and the officer, held a parley for some time across the river. How had no sooner taken leave of the officer, than a party that lay perdue fired a volley at him, and shot him through the heart. Cornwallis calls it "an instance of" "treachery and barbarity not to be paralleled in history, and" "a violation of a flag of truce which has ever been held" "sacred, and without which all faith is at an end, and all" "transactions with an enemy." Such is the account of this sad affair, given by governor Cornwallis, in his despatch of 25 November to the lords of trade. There are two other versions of it from French authorities, which deserve some notice. The first says: "The intendant of Canada, not" "being able to send to the posts of this country the great" "quantity of provisions that were there required, while wait-" "ing till they should receive from France those he had asked" "for, and which were to be sent direct to bay Verte, wrote" "to the commissary of Louisbourg to treat with some Eng-" "lish for a certain supply of pease, Indian corn, &c. This"

"commissary applied to Mr. How, an officer, who agreed to" "supply the posts of the river St. John. He wrote on the" "subject to the general and the intendant, in order that they" "should furnish Mr. How with all the securities he required." "As soon as Le Loutre was informed of this, it is said that" "his interests being injured by it, he sought to get rid of it," "and having been directed to confer with this officer, he pro-" "cured a rendezvous to be appointed at the little river which" "divides the territory of the two crowns. How went there" "with confidence, and alone. Le Loutre was accompanied" "by some disguised Indians, who, hiding behind the dyke," "fired their muskets, and killed this officer on the spot. Le" "Loutre disavowed the firing, which seemed likely to bring" "us into trouble, and attributed it to the Indians alone, of" "whose designs, he said, he had been ignorant. This officer" "was equally beloved by his own nation and by the French," "and was esteemed a very honest man. So Le Loutre was" "held in execration by both." [*Mémoires sur le Canada, depuis* 1749, *jusqu'à*, 1760. *Quebec*, 1838, *p.* 14.] The other account of this murder says: "It was very wrongfully and with the" "greatest injustice that the English accused the French of" "having a hand in the horrors committed daily by Le Loutre" "with his Indians. What is not a wicked priest capable of" "doing? He cloathed in an officer's regimentals an Indian" "named Cope, (whom I saw some years after at Miramichy," "in Accadia;) his hair curled, powdered, and in a bag; and" "laying an ambuscade of Indians near to the fort, he sent" "Cope to it, waving a white handkerchief in his hand, which" "was the usual sign for the admittance of the French into" "the English fort, having affairs with the commander of the" "post. The major of the fort, a worthy man, and greatly" "beloved by the French officers, taking Cope for a French" "officer, came out with his usual politeness to receive him;" "but he no sooner appeared, than the Indians in ambush" "fired at him and killed him. All the French had the great-" "est horror and indignation at Loutre's barbarous actions." [*From a ms. by a person who served at Louisbourg from* 1750 *to* 1758.] Mr. How left a widow, Mary Magdalen How, and

several children. The esteem he won while living—the general usefulness of his conduct as an early founder of our colony, and the cruel circumstances of his death, commend his memory to us who enjoy a happy, peaceful, and prosperous home; for the security and comfort of which, we are bound to be grateful to those who pioneered the way in the earlier periods under many and serious disadvantages.

In this year, Cornwallis fortified George's island, in Halifax harbor. He had seven 32-pounders mounted there, and began a palissade around it. He says the German settlers he had received were very sickly. He employed them in the public works, by which they were to pay for their passages. The Swiss emigrants he praises highly. From the establishment the French made at Chignecto, no Indians had appeared near Chebucto. The demands they had made were, that the English should abandon Chignecto, give them half the country, and cease to hold any intercourse with them. The governor believed that these preposterous demands were dictated by the missionaries. He says the French must have been at great expense in "keeping those wretches together and sup-" "porting the inhabitants gone to them. They have sent no" "less than eight or ten vessels this year to bay Verte and" "St. John's river, with provisions and warlike stores." The trade from New England to Louisbourg was so profitable, that the merchants preferred it to coming to Chebucto. They carried dollars there, and brought back rum and molasses, and besides supplied Louisbourg with all necessaries. Cornwallis complains bitterly of Apthorp and Hancock, the two richest merchants in Boston, who had made their fortunes out of government contracts. He says that they, "because they have" "not the supplying of everything, have done all the mischief" "they could." He says that they "distress and domineer,"—"and now wanton in their insolent demands."—"I wish to" "God some person you confide in was sent out to transact" "the affairs of the country, relating to money matters." He appointed Mr. Green, treasurer, and commends his method and propriety. He says Green is the only person he has for business, "which is a misfortune, as I know little of it myself."—

"I have applied myself as closely as possible to each branch," "but indeed, my lords, it is too much for any one person." "The distresses I meet with—the variety I have to go" "through, Sir Danvers Osborn can testify. The fear I am" "under of not acting satisfactory to your lordships, gives me" "great uneasiness."

The fishery this year had produced 25000 quintals, and people from the West of England were expected to extend it. The close of this year, 1750, exhibits a great change in the condition of the province. From the conquest of 1710, hitherto, the fort at Annapolis, as far as its guns could range, was the only real possession of the British in this region, and this even was dependant on aid from Boston to prevent its re-capture. The post at Canso could hardly he deemed secure at any time. As to the Indians and Acadians, they were, as a general rule, much more the subjects of the governor and bishop of Quebec than of England. The building of a town at Chebucto, and the presence of several regiments of regulars—the establishment of fortified forts at Grand Pré, Piziquid and Chignecto, gave the English an absolute possession and control, if not of the whole of Acadie, yet of the peninsula, and in the event this dominion extended itself step by step until the whole continent became exclusively British.

The winter of 1750–1751, was a very open one, so that the governor was enabled to supply Chignecto with everything necessary, which was fortunate, as the French endeavored all in their power to distress that post, and the English wood-parties had several skirmishes with the Indians, the French being at hand to support and subsist their allies, and a party of Canadian Indians were sent to join the St. John Indians and Micmacs. The Indians sent an order to the Acadian French, forbidding them from acting as couriers for the English, or assisting them in any way, on pain of death.

APPENDIX TO CHAPTER XIV.

(1.)

The invoice of goods sent in the London, by M. Bigot, intendant at Quebec, to M. Loutre, as presents to his Indians, contained:

9 bales of clothing, 2 hhds. clothing. Among the goods were swanskin, mamaget, or mazamet, cadis table cloths, white linen shirts, cloaks with gold or silver lace, ribbons, &c.

1 hhd., contents: 12 laced cloaks, for men; 3000 sewing needles, 200 awls, 200 gun screws, 200 *battefeux*, 30 lbs. vermillion, 200 butchers' knives, 12 childrens' cloaks, 18 mens' cloaks.

100 guns, 60 lbs. tow, 150 triggers, staples, &c.

A bbl. containing 3000 gun flints.

20 quintals of leaden shot.

30 quintals of ball.

2000 lbs. powder.

100 copper kettles.

85 green seal skins.

1 hhd. molasses, 2 hhds. wine, 60 quintals bacon, salt.

12 quintals bacon, 418 lbs. hogs' lard.

16 *veltes* brandy, 471 quintals flour.

(2.)

(Extracts from letters taken in the sloop London.)

[From Augustin Doucet, dated *Port la Joie*, (Charlotte town), 5 August, 1750, to madame Languedor, at Quebec.]

"I was settled in Acadie. I have four little children. I was living contented" "on my land. But this did not last long, for we have been obliged to leave all" "our goods. and to fly from under the dominion of the English. The king" "obliges himself to transport and maintain us until news is received from" "France. If Acadie does not return to the French, I hope to take my little" "family with me to Canada. I assure you we are in a poor situation, for we" "are like Indians in the woods."

(From de Goutin to M. Bigot.)

Port la Joye, 6 August, 1750.

"Sir. In the oppression we are threatened with, by the great quantity of Aca-" "dians who come here daily, and the limited amount of provisions that have come" "from Louisbourg, our only hope is in you for the relief of the poor families of" "Acadie continually arriving here; and I have the honor to tell you, sir, that we" "have more than 700 persons receiving the king's rations.

There was a letter to the same effect from Denys de Bonaventure to Bigot. He makes the number to be fed near 800, of whom 200 had come there in 1749, and 600 since 27 April, 1750. They require 3600 quintals of flour, and have only 1600. Louisbourg is not able to supply them.

In a letter from de Loutre to Bigot, dated *a la baye Verte*, 15 August, 1750, he says :—

" We have here plenty of people to maintain, and in the autumn we shall have " an increase of 60 families from Beaubassin and the rivers which are beyond the " boundary we claim, who have not sowed their crops, to retire on our territory. " The people of Cobequit should decide what part to take as soon as they have " news from France," (i. e. as to the boundaries.) " They will make the num- " " ber of 100 families. Perhaps we shall have some from Mines, if they can " " escape."—" The Canibas, who were on the Chebucto road, captured the let- " " ters the English wrote to Mines and Port Royal. They will be sent to you by " " the first courier."—" If our Indians were Frenchmen we should not be embar- " " rassed, but the wretches grow weary, and will quit us perhaps in our greatest " " necessity." They are tired of waiting for news from France."—" Our gentle- " " men" (military) " expect to be relieved. If it be so, it is time that arrange- " " ments should be made for the magazines at Echedack, (Shediac), or Gasparos " " river, in bay Verte, and for the houses and lodgings of the soldiers and militia " " men."—" We are only waiting news from France to take our part. As M. de " " la Corne is in want of tobacco, and I find the article on board of captain Jallair, " " I have taken it. I am going to have it weighed, and by the receipt I have " " given him you will see the quantity."

The chevalier du Chambon writes from 'Memramcoup,' 15 August, 1750, to M. Gorgaudière. Quebec :—

" The Indians captured the letters the governor of Chebucto was sending by " " a courier, and carried them to the priest. They" (the English) " count on " " doing great things in their enterprizes, and I can assure you that if we have " " no news from France, we shall be much embarrassed in our mission, which " " seems to me to embarrass much the poor inhabitants for being the *dupes* of all " " that."

N. B.—This seems to be the Sr. du Chambon de Vergor, who commanded the brigantine taken by Rous in the autumn, 1750, and who afterwards was commandant of fort Beauséjour.

(3.)

26 Nov'r., 1750. Governor Cornwallis' order to the deputies of Mines :—

' You are ordered, under pain of military execution, to furnish Mr. Floyer, cap- ' tain commanding the Fort *au Vieux Logis*, as much as he shall need, and, as far ' as it is possible for you, wood, flour and other kinds of provisions which he ' shall think fit to demand from you.' Countersigned by

WM. COTTERELL, secretary.

(4.)

Order dated 31 Dec'r., 1750 :—

Whereas it has been represented to His Ex'y, that several persons who have lots in Dartm°. do reside on this side of the water, and whereas a watch is absolutely necessary for the safety of the place, notice is hereby given to such persons that if they do not pay one shilling for each guard as it comes to their turn, they shall forfeit their lots in Dartmouth.

Halifax, Decem'r. 31st, 1750.

By his Excellency's command,

(Signed) WM. COTTERELL.

CHAPTER XV.

1751. The governor and council, who were vested with powers of legislation, until an elective assembly should be established, began to pass now some ordinances of importance. January 14, 1751, o. s., they made a series of regulations to govern the proceedings of the general court and of the county court, and they ordered them to be published "by the Pro-" "vost marshal, by reading the same, after beat of drum," "throughout the settlement, and on the first day of the next" "general and county courts." Many rules of practice in civil actions in the county court were prescribed. Actions on specialties, and those in which a member of the general court was concerned, were excepted from their jurisdiction.—Goods attached were to be sold by auction.—Real estate to be redeemable for two years—No person was to be ejected from real estate until three months after execution levied upon it.—Sellers of liquor having licenses could not recover in any suit under 5s., and other persons could not sue for liquors sold in quantities under 3 gallons.—A single justice of peace was empowered to try civil causes not exceeding 20s., and two justices any causes not exceeding £3. In case of the fraudulent taking of property off the streets, wharves or enclosures, the offender was to incur four-fold damages, or whipping.—After quoting Molloy *de Jure maritimo et Navali*, (see 3rd edition, London, 1682, p. 432), in which the colonial law of Virginia, act of 1663, c. 10, is explained and supported, which protects settlers from suits and executions for debts incurred before they came into the colony, they renew and modify the

law to prevent suits for debts contracted by the settlers before they come here.—Until the limits of the county of Halifax are determined, all officers of justice shall have jurisdiction in any part of the province where they may occasionally be.—That the town and suburbs of Halifax be divided into 8 wards, and the inhabitants be empowered annually to choose the following officers, for managing such prudential affairs of the town as shall be committed to their care by the governor and council, viz't.: 8 town overseers, 1 town clerk, 16 constables, 8 scavengers. 24 Jan'y. Richard Mainwaring was fined £100 for celebrating a marriage. He called himself a clergyman, and said he had lost his credentials, and was committed till the fine should be paid. This was done under an English statute of 7 & 8 W. 3, c. 35. The institution of deputies, and their being paid by the districts, appears to have been kept in force, by an order in Feb'y., requiring the inhabitants of river Canard to pay, under pain of *military execution.* Two armed sloops were employed in the service of the province government—the Ulysses, captain Jeremiah Rogers, and the New Casco, captain John Taggart. The Ulysses was sent to Boston in February. In this month, the governor ordered Mr. Thos. Saul, who was agent for messrs. Baker, army contractors, to lay in provisions for three months, for 1500 men at Halifax, and 600 at Chignecto, from which we may infer that the garrisons amounted to those numbers. Dartmouth had been settled, but there were complaints that the people there had not been duly victualled, and Otis Little, esq., commissary of stores and provisions, was ordered to proceed to the place—enquire and report on the subject. 23 Feb'y., o. s. Cornwallis ordered that a serjeant and ten or twelve men of the military of Dartmouth should mount guard at nights in the block-house, and be visited from time to time by the lieutenant. 24 Feb'y. Gorham was sent by land with his company and a detachment of Cornwallis' regiment, to relieve the garrison at *Vieux Logis*, Mines, and to deliver necessaries to captain St. Loe, at Fort Edward, Pisiquid. 20 March. A table of fees was established by the governor in council for courts officers, juries, &c. The grand jurors were to have each 2s. a day, and

their foreman 2s. 6d. The petit jurors the same fees in the general court, but when in county court 10d. each, and the foreman 1s. The only lawyer's fee was 6s. in county court. The gaoler 1s. 6d. on receiving or discharging a prisoner, and 3s. a week for dieting him. (28 March, 1751. Mr. Thomas Coram, the celebrated projector and founder of the Foundling hospital, died. The settlement of Chebucto was one of his proposals.) On the memorial of merchants, the governor and council resolved, 29 April, to grant a bounty of six pence per quintal on fish salted and dried within the province, fit for exportation; and to obtain a fund for this purpose, they imposed a duty of six pence a gallon on rum and other spirits sold by retail, (under three gallons.) License holders were to account for their sales on oath. At the same time they ordered stealing fish from flakes to be punished by paying four-fold value and costs, and being whipped round the flakes; and stealing effects from the beach, or streets, or lots of ground, to be punished by four-fold restitution, costs, and a public whipping. May 27. An order of council fixed the price of fresh fish at Halifax not to exceed sixpence for a fish thirty inches long, and others in proportion, under ten shillings penalty.

On the 2–13 March, the governor's order issued for additional 9 months' provisions for 600 men, to be laid in at Chignecto.

On the 14–25 May, a general court martial was ordered, "to enquire into the conduct of the different commanding" "officers, both commissioned and uncommissioned, who have" "suffered the village of Dartmouth to be plundered, and" "many of the inhabitants to be put to death, when there was" "a detachment of regulars and irregulars posted there for" "their protection, to the amount of upwards of sixty men, and" "make report thereof to me." Governor Cornwallis, in his letter to the lords of trade, dated 24 June, 1751, says: "A" "large party came down to a small village opposite Halifax," "where I was obliged to put some settlers that arrived last" "year, in the night attacked it, and did some mischief, by" "killing some of the inhabitants, I think four, and took six" "soldiers who were not upon guard that night. Our people"

"killed six of the Indians, and had they done their duty well," "must have killed many more." A private letter from Halifax, dated June 25, states that they had skirmishes with the Indians, in which several of the English had been killed and scalped. Some days ago about 60 of them attacked the town of Dartmouth, whose fence is only a small brush, and killed about eight of the inhabitants, and after that exercised their cruelties by pulling down some houses and destroying all they found, not sparing men, women and children. A serjeant, who was in his bed, came to the inhabitants' assistance, whom they pursued and killed, and not being content with his life, cut his left arm off, and afterwards scalped him. In returning from the town, they carried off about fourteen prisoners in triumph. The company of rangers posted there gave no assistance. (But one Indian scalp had been brought in under the offer of £50 reward, made some four months before. This is attributed to the care of the Indians in carrying off their dead.) [*London Magazine*, 1751, *p.* 341.] A letter from Halifax, of 30 June, says that a few days since the Indians in the French interest perpetrated a most horrible massacre at Dartmouth, on the opposite shore, where they killed, scalped, and frightfully mangled several of the soldiery and inhabitants. They spared not even women and children. A little baby was found lying by its father and mother—all three scalped. The whole town was a scene of butchery: some having their hands cut off—some their bellies ripped open, and others their brains dashed out, [*London Magazine*, 1751, *p.* 419.]

Four sloops belonging to Boston were seized at Louisbourg by order of the governor of Canada, in reprisal for the brigantine taken by the Albany. The French began to erect a fort at St. John, and another at Beauséjour. It was also reported that they were building one on the bay Verte. Cornwallis avers "that the governor of Canada, through his emissary" "Le Loutre. gives a premium for every prisoner, head" "or scalp of an Englishman." The French sent a ship of thirty-six guns and three hundred men to the bay of Fundy. Cornwallis says that at first setting out it was said—"What has he to contend with? Three or four hundred"

"Indians only. It is peace and no other enemy to fear." He then asserts that the French had not only set on the Indians, but had acted in conjunction with them. That they entered and took possession of part of the province—drove off the inhabitants—forced them to swear allegiance to the French king, and acted with as much vigor and did as much harm to the English as they could have done in open war. He alleges this to justify the heavy expenses incurred in protecting the settlement. Though surrounded with wood, it cost from 14 to 16 shillings a cord. Limestone could not be obtained near Halifax. The land round Halifax was now laid out into five acre lots, and the settlers had begun to clear them, though it was not safe to do so, owing to the Indian enemy. At this time there were 16 pieces of cannon upon George's island, from 32 to 24 pounders. 29 May, o. s. Capt. Sutherland was sent with a detachment of Warburton's regiment to the fort at Piziquid. Three men were sentenced to death for felonies, and ordered to be hanged on 18 June, o. s. Two of them were reprieved. 1 July, o. s. The New Casco. sloop, capt. Taggart, was sent to Annapolis, to land provisions there, designed for Chignecto, and to take colonel Mascarene thence to New England. On sworn information that certain Irish catholic servants in Halifax had entered into a combination to go over to the Indians or the French, a resolution passed, requiring masters of vessels to report passengers, who were not to land without the governor's permission, (vessels from the colonies exempted.) German palatine settlers, arrived 10–21 July, were directed to be employed at Dartmouth in picketting in the back of the town. 31 July. The governor and council imposed a duty of 3d. a gallon on all rum and spirits imported after 14 August, 1751, except the product or manufacture of Great Britain or the British West Indies,—the duty to go to bounty on the fisheries. 10s. per ton bounty to be allowed to vessels and boats built within the province.——The arrival of 200 more Germans was reported, and they were ordered to be placed at the head of the North West arm and mouth of Bedford bay, (basin), and those who owe work for passage to picket in the same. Eight French men-of-war were on these coasts, and no

English ship of war had, as yet, arrived. One of the French, of 56 guns, cruized off the harbor's mouth and coast for a fortnight, with a schooner in company. A pass was given to Pierre Aucoin and Joseph Granger, of the river Canard, to go to Cobequid, and, if necessary, to Louisbourg, to procure a priest for their district. Three sloops were sent up the bay of Fundy in September—the Ulysses, New Casco, and Lawrence. They carried 130 barrels of beef and 68 barrels pork for Chignecto. The provisions reported necessary for victualling the settlers during the coming winter, were 329,139 3-4 pounds of bread and flour, 90,608 1-2 lbs. beef, 36,887 lbs. pork, 903 bushels pease, 3050 gals. vinegar, 621 1-4 gals. rum, 485 1-4 gals. molasses. Cornwallis had authorized colonel Mascarene to act on behalf of this province at a conference that was to be held with the Indians at St. George's. He had now some glimmering of hope that they would make peace. The French Acadians at Mines and Piziquid had altered their behavior, cultivated their land well, and had a surplus of corn to dispose of. He could not send the Germans far into the country until peace was made with the Indians. Farmers, he says, can't live within forts, and must go in security about their business to make it turn to any account. Two ships only had arrived with Germans. He says the French fort is not much further than cannon shot from the English one at Chignecto. He asks leave to resign the government 4–15 Sept'r., 1751. The forts he has erected at Chignecto, Mines and Piziquid, are only picketed forts, as a security against Indians.

The count *de Raymond*, sent as successor to Desherbiers, governor of Louisbourg, wrote 18 Aug't. to Cornwallis, complaining that the New England fishermen dried their codfish on the islands of Canceaux. Cornwallis replies that he has to complain of Frenchmen fishing at the isles of Canceaux, and even at Whitehead, on this side of Canceaux, both undoubtedly in the territory of the king of England; also of a French man-of-war cruising on this coast, and even in view of the harbor, for ten or twelve days in succession. These letters were couched in terms of great courtesy. Sept'r. 11. The

lords of trade and plantations ordered five ships to be got ready to sail for Nova Scotia, with two companies of colonel Lee's regiment of foot, besides guns, muskets, swords, bayonets, powder, &c., for that colony. [*London Magazine for* 1751, *p.* 427.] Lieutenant John Hamilton had negociated for the ransom of himself and other English persons who had been taken prisoners by the Indians within this province at several times during the two years last past. There were upwards of 60 prisoners, officers, soldiers and settlers. The sum required for payment of their ransom and maintenance was 17,651 livres and 2d., (which is about £882, Halifax currency.) Lieutenant Hamilton drew on governor Cornwallis for this amount, and wrote him from Quebec, Aug't. 24, that their release depended upon the draft being paid. Tuesday, Oct. 15–26, the council, present col. Horseman, col. Lawrence, Benj. Green and Wm. Steele, advised the governor to pay the amount. In October, instructions were issued to captain Thomas Collier, then commanding officer at Chignecto. He was to give every facility to trade, except that in spirituous liquors, which he was to keep within due limits,—to prevent correspondence with the French, except between himself and the French commandant when requisite,—see that the duties were collected—economise fuel, &c. Major Lutterell had previously commanded there. At this time, captain Benjamin Ives, whose name we find in the list of Pepperell's officers at the siege of Louisbourg in 1745, and again in the list of settlers of Halifax in 1749, appears to have held an office called 'captain of the' 'Port,' as there is on date 22 October, 1751, for delivering to him six men's provisions for one month. In 1754 Charles Hay, esq'r., was captain of the port. It seems probable that he executed the same duties, which were afterwards performed by an officer called the Portwarden during the Revolutionary war, 1775–1783, viz't., to visit and report on all vessels and boats entering the harbor, and grant passes to those leaving. The rations ordered must have been for his boat's crew. It appears from a copy of a bill of exchange, drawn by governor Cornwallis in favor of Wm. Baker, for £2250 sterling, that Mr. Thomas Saul, Baker's resident agent here, had supplied

224,000 lbs. bread for the use of settlers, at 22s. 6d. stg. per cwt. We notice the name of lieut. George Cottnam, of Cornwallis' regiment, obtaining leave of absence, as we shall find him a resident long after. Count Raymond, the governor of Louisbourg, wrote a second letter to Cornwallis, claiming the islands of Canso as French territory. Cornwallis complained of the ship's of war coming here late in the season, and leaving shortly after, (names the Gosport and Torrington), so that their visits were of little use in the defence of the settlement. 18 Nov'r. He thanks the king for the leave of absence granted him, but will not then make use of it, as his majesty thinks his remaining necessary at this juncture. Ships may come here in April or May, and can winter here as well as in any port in the world. He informs the lords of trade, (Nov'r. 3,) that the Indians have been quiet, and the French inhabitants behaving better, and he has real hopes they may become good subjects. "Certain I am it would be so, if a method could be found to" "prevent French missionaries being among them. How that" "may be attained I can't say, but priests of some kind they" "must have." The French fort at Beauséjour is picquetted, like the English one at Chignecto. That at St. John is said not to be near the entrance, where the old one was, but above the falls. The French failed to obtain a supply of flour at Louisbourg, Quebec or France, but received 12,000 barrels shipped them from New York, contracted for by their friends in Boston, whose four vessels they had seized in the spring: and Cornwallis says 150 vessels from New England and New York have been trading at Louisbourg this year, and adds that this trade was chiefly from Boston and Rhode island, who barter their goods with the French there for rum and molasses, and run the returns into the colonies, and not one-tenth of them pay a shilling duty. A law question arose about a Mr. Hoffman, a German, who had been made justice of peace, it being alleged that not having resided seven years, he was not naturalized by the act 13, G. 2. Gov'r. Cornwallis points out that the objection might also extend to inheriting or obtaining land, and suggests that this should be remedied by enactment.

We find about this time that the chevalier La Corne was relieved in his command at Beauséjour by *le sieur de Vassan*, captain. The latter received instructions to hasten, as much as he could, the construction of the fort at Beauséjour—to pay great respect to the abbe de la Loutre, and especially to consult him on all matters regarding the Acadians—to treat these people with much mildness—give them provisions, and relieve them—to receive humanely all those who should come to take refuge with him, and in such cases to converse with the abbé de la Loutre, and enter into his views, and finally, to avoid all subjects of discussion with the English. On his arrival in Acadie, M. de Vassan sought to fulfil the views of government. This officer was proud, brave and haughty. He possessed intelligence and capacity for the details of business, and he acquitted himself better than any other officer could have done, and with more dignity, of what had been prescribed to him by his instructions. He left or rather abandoned to the abbe de la Loutre, the details of all things that concerned the Acadians. The abbé used his power tyrannically. He distributed the provisions with a marked inequality, and he reduced the Acadians to supplicate of him, and to consider as a favor, especially proceeding from himself, the clothing and provisions which the king had entrusted him to distribute among them. Le Vassan had often lively altercations with him, and had need of all his intelligence and all his superiority to resist him, or to reconcile the disputes and discontents which his conduct gave rise to among the Acadians. [*Mémoires sur le Canada depuis* 1749, *jusqu'à* ,1760. *Quebec*, 1838, *pp.* 12–13.]

About the end of this year governor Cornwallis had an angry dispute with Joshua Mauger. Mauger was a merchant, distiller, &c. He had removed with a stock of goods from Louisbourg when it was restored to the French in 1749, and settled in Halifax, where he conducted an extensive business. He afterwards went to England, where he acted as Provincial agent for Nova Scotia, and held a seat in Parliament. His daughter was married to captain d'Auvergne, of the English R. navy, a scion of the princely house of de Bouillon, in France. Mauger's beach, in the entrance of Halifax harbor,

belonged to him, and still retains his name. In 1751 he was agent victualler to the navy at Halifax. Cornwallis says that he received information that a sloop had landed contraband goods from Louisbourg—that they had been openly carried upon trucks, and lodged in different parts of the town. "Upon which" (he says) "I issued my warrant to the judge" "of Admiralty court to seize the vessel and search the sus-" "pected parts of the house for these goods, several of which" "were found so dispersed. The officer had suspicion of Mr." "Mauger's storehouse, being an offender by public report," "and demanded the keys of his storehouse. He absolutely" "denied his searching the house, though he shewed him the" "warrant." Cornwallis sent his secretary with a message, the sum of which was, if he would not deliver the keys, the doors would be forced open. Mauger wrote a note to the governor, which the latter calls impertinent. Eventually the civil officer opened the doors of the store, in presence of a clerk of Mauger's, and found only some casks of French molasses, which, as Mauger alleged, was part of his stock imported at the evacuation of Louisbourg in 1749, by Cornwallis's permission.—Mauger treated this proceeding as violent, arbitrary and illegal, and menaced a prosecution in England. A point arose as to whether it was before or after sunset at the time, and Cornwallis says it was 5 P. M. on 13 Nov'r., (o. s.,) which, he thinks, was before sunset, but by the almanacks we use he was wrong, as the sunset at Halifax 13 Nov'r., o. s., was at 4h. 24m., P. M., and 13, n. s., 4h. 34m. P. M. He says to the lords of trade: "I hope Mr. Mauger will no longer be employed by the victualling Board or in H. M. employ."—"I have great reason to think that two of the vessels seized at Louisbourg, by way of reprisal, he was concerned in; and one certain proof of his correspondence and good harmony with those at Louisbourg, his getting his kinsman sent home who was taken prisoner by the Indians, when it was not in my power to get one of the others." He refers to 143 article of his general instructions, and 23 article of his instructions relating to trade and navigation. [*From a letter of governor Cornwallis to the lords of trade, (without date), rec'd. in England* 6 *January*, 1752.]

CHAPTER XVI.

1752. The year 1752 was a very uneventful one in this country. The most remarkable occurrences were the change of governor, colonel Cornwallis retiring and colonel Hopson taking the command, and a treaty made with the Indian chief of the Eastern coast named Cope. Many matters of minor importance deserve, however, some notice.

In writing to the secretary of state, the earl of Holdernesse, 16 Feb'y., governor Cornwallis says: "Though the winter" "has been as severe as has been known, this harbor has" "never been frozen over, which, by accounts, all the harbors" "quite to Virginia have been."

John Collier and capt. George Fotheringham were appointed to the council. Charles Morris, James Monk, John Duport, Robert Ewer, and Joseph Scott, were named as judges of the Inferior court of Common Pleas for the county of Halifax; and John William Hoffman, esq'r., and Leonard Christopher, esq'r., were made justices of peace for the same county. In February and March, 1752, Mr. Cornwallis was made colonel of the regiment of foot, late the earl of Ancram's, and Peregrine Thomas Hopson was made colonel of the 40th regiment, previously Cornwallis's. *(See London Magazine, 1752, p. 93.)*

April 8. Bounties were granted, viz., 20s. an acre on cleared land, 2s. per cwt. for hay, 2s. per bushel for wheat, barley or rye, 1s. for oats, 3d. per lb. for hemp.—Several divorce causes were tried by the governor and council.

June 12. The governor and council adopted a scheme of a lottery for building a light house near cape Sambrough, to raise £450—1000 tickets, £3 each.

In July, captain Ephraim Cooke insulted the judges of the inferior court, and particularly Mr. Steele. He was imprisoned by order of the governor and council, and shortly afterwards apologised fully, and was discharged.—17 July. A proclamation issued, stating that the Indians, for some time past, had not committed hostile acts, but on the contrary had made overtures tending to peace, and thereupon forbidding acts of aggression against them. It then stated that some persons in a vessel from New England had seized and killed treacherously, near cape Sable, two Indian girls and an Indian lad, who had gone on board 'under given truce and assurances of friend-' 'ship,' and offered £50 reward for discovery of the wrong doers.

The government mills at Dartmouth were sold at auction in June, and bought by major Ezekiel Gilman, for £310. 13 July, Winckworth Tonge, gentleman, was ordered to Chignecto, to take upon himself the direction of the fortifications, repairs of buildings, and such other works as are to be carried on there.

On Monday, 3 August, governor Cornwallis and the council, consisting of messrs. Green, Salusbury, Steele, Collier and Fothringham, met at the court house in Halifax. Colonel Peregrine Thomas Hopson, who had arrived here on 26th July, was also present, and the king's commission to Hopson, as captain general and governor in chief of Nova Scotia, was read; also a commission appointing him vice admiral. The usual oaths were then administered to him, and he took the chair. Under the new commission, messrs. Lawrence, Green, Salusbury, Steele, Collier and Fothringham, were sworn in as councillors, and the usual proclamation ordered for officers to continue. Aug. 6. The king had directed that the foreign settlers should take the oath of allegiance. Two councillors were deputed to administer it to those employed on George's island, which they did to 119 men and lads.—4 Aug't. Two schooners, one the Friendship, belonging to Joseph Gerrish, of Halifax, the other the Dolphin, owned in New England, while engaged in fishing near Canso, were surprized and taken by Indians, who carried the vessels and crews to St. Peter's, in cape Breton. The Indians did not kill any of the men, or even detain them

as prisoners. The owners got their vessels back by paying a large ransom. There was a canoe taken also. The crews were, in all, 21 persons. The schooner Halifax was taken by Indians at Petit degrat, in cape Breton.

26 Aug't. At a council, at which the late governor attended, the German passengers in the Pearl, from Rotterdam, were ordered to be landed at the isthmus between Bedford bay and Sandwich river, where the others were seated.—In discussing the provision contracts, the numbers to be provided for by the government are thus stated: 1000 Germans arrived this year, and expected; 955 Germans arrived in the last two years, and 455 others requiring support, including artificers, laborers, inmates of orphan house and hospital,—in all 2400 persons.

31 August. An advertisement was ordered for the alteration of the style.

In this month, ensign Tonge, who acted as engineer at Fort Lawrence, (Chignecto), was ordered to repair the fort 'in such a manner as to bring its profile up to the first' 'design.' Palissades and posts were to be sent him from Annapolis; the other materials and implements to be sent round as soon as possible. Mr. Morris, the surveyor, went to what then was called Musquodoboit, (now Lawrencetown and Chezetcook), escorted by capt. lieut. Lewis and twenty rangers, as a defence against Indians. Mr. Morris, in his report to the governor, describes, under the name of the Inner harbor of Musquodoboit, the present Cole harbor, 5 miles from Dartmouth. He mentions a small point of land opposite Cornwallis (now McNab's) island, as the only spot that had been cleared by the French or Indians in that direction. He then mentions the ruins of a French settlement, which was in what is now Lawrencetown, and another at Chillincook, (now called Chezetcook.) At the first he says "there is at pre-" "sent the stones of two chimnies lying on the ground" "where the houses were burnt down, two barns built of logs," "and thatched; a spring of good water near." At Chillincook, he says, the settlement is on a peninsula; mentions a church, which he calls a Mass house, and several dwellings, cleared land, &c. The distance between the two settlements

was 7 miles. The French had been long there, but both places were now deserted.

There seems to have been no protestant clergyman at this time at Annapolis, as we find, 15 August, a license granted by the governor to John Handfield, esquire, a justice of peace for the province, to join together in holy wedlock captain John Hamilton, widower, and Miss Mary Handfield, spinster, 'pro-' 'vided neither the chaplain of the garrison or any other lawful' 'minister be present.' Capt. Handfield, the father of the bride, to whom the authority is given, was then commanding officer at Annapolis.

The hon. lieut. colonel Robert Monckton, (afterwards distinguished at the siege of Quebec), was now sent to command at Fort Lawrence, and a relief to the garrison there went in the New Casco, the York, and the Ulysses. The orders are dated 15 and 17 August.

25 August. William Nisbet, a clerk in the secretary's office, was dismissed by the governor. He was afterwards attorney general and speaker of the Assembly. On the dismissal of Mr. Little, he was employed as attorney general. (The house he lived in still remains but slightly altered, in Grafton street.)

14 Sept'r., 1752, (thursday.) The present and late governors met with the council at the governor's house. Messrs. Lawrence, Green, Salusbury, Steele, Collier and Fotheringham, councillors. An Indian chief, Micmac, appeared before them, named Jean Baptiste Cope, who called himself major. A *golden* belt (gold lace?) a laced hat for himself and another for his son were given him, with written promises of presents and provisions, and he signed an engagement on the 16th to bring his tribe in to sign and ratify the peace.—Two persons from Halifax were relieved at this time from captivity in Canada. Thomas Stannard and Honora Hancock—the ransom of the latter, 66 dollars, (milled), and 5 dollars her passage money from New York, were repaid by the Halifax government. Money transactions seem to have been transacted usually in the Spanish silver milled dollar or piece of eight reals, although accounts were kept in pounds currency or sterling.—The priest at St. John's wrote to the commandant at Annapolis for leave

to buy provisions there for the people of the river, but the governor and council forbade it, as French troops occupied the place, and the Indians there were hostile. A circular letter, signed by Paul Dorion, an inhabitant of the island of St. John, was sent among the French inhabitants of this province, but had little effect in inducing them to repair thither.

Governor Hopson, writing to the lords of trade, 16 October, says he found Cornwallis extremely distressed by having on his hands in and about this place, all the foreign settlers who arrived in 1750 and 1751. 300 more arrived in 1752. All Hopson could do was to build boarded barracks for them, it being impossible to send them to a distance for want of provisions. They would require two years' provisions in settling them, as most of them were very poor. He refers to governor Cornwallis for the state of the province. Cornwallis goes home with the despatches in the Torrington. These foreign settlers had sold everything they had, even to their bedding, by advice, before they embarked. Many were sick, or aged. He describes their condition as presenting "a scene of misery." Says many of them became discontented, and went off to the island of St. John, and begs that no more may be sent out. If any of them were sent to settle among the French inhabitants he is sure the latter would immediately leave the province. About 60 French had deserted from their fort at Beauséjour since Hopson arrived, and he sent them to Boston, as he had heard lord Halifax disapprove of sending such deserters to England. The Rangers he considers to have been of great utility in protecting out-settlers, and marching on service when regulars could not be spared. They were reduced by Cornwallis, and now were only 100 in all, under captain Joseph Gorham aud six subalterns.—Alienation of land at this time required the governor's license, and the purchaser had to take the usual oaths. "Upon no account" was it permitted to alienate to "Roman Catholics." All the town lots and five acre lots were duly registered.—Oct'r. 23. Governor Hopson appointed William Cotterell, esq'r., a member of H. M. council, and John Duport, esq'r., secretary of the council. The council

were of opinion that the secretary of council should receive £100 stg. a year, which was accordingly adopted.

The new governor of Canada, marquis Duquesne Menneville, a navy captain, arrived in that province in July, 1752. He kept up the same correspondence with the abbé de Loutre that his predecessors had done. He issued fresh instructions to M. de Vassan, and directed him to gain over the missionaries settled among the Acadians, in order to gain information as to the designs of the English, and to keep him instructed as to their movements. He sent an officer of artillery, M. de Jacan de Piedmont, to Beauséjour, to fortify the place; and as the close vicinity of Fort Lawrence and fort Beauséjour led to frequent desertions of the soldiery, he agreed on a cartel with governor Hopson for the mutual surrender of deserters, it being stipulated that their lives should in such cases be spared. [*Mem. sur Canada. Quebec*, 1838, *p.* 29.] 14 Nov'r, A proclamation was issued by the governor and council, forbidding persons from 'assembling and carrying about effigies on the' 'anniversary of the holy day, commonly called Gunpowder' 'Treason, being the 16th November, according to the present' 'alteration of the style.' 22 November, a treaty was signed with the Micmacs of the Eastern coast. Jean Baptiste Cope, chief, and Andrew Hadley Martin, Gabriel Martin and Francis Jeremiah, delegates, acted for the tribe, which was estimated to consist of ninety persons. It was based on the Boston treaty of 1725. 29. Cut money (pistareens and other silver) was ordered to go at 4s. 6d. an ounce.

It seems that the officers in command of fort Edward, at Piziquid, had made a practice of taking whatever sheep, poultry, &c., they required, from the French inhabitants, setting their own price thereon, sending for them on frivolous pretences, and imprisoning them in the block-house. They at length petitioned for redress, and the conduct of the commandant was condemned by the governor and council 12 Dec., 1752, and a full restitution and satisfaction ordered to be made. Hopson views the quietness of the French and Indians at this time as a treacherous calm, to be soon succeeded by outbreaks of hostility. Many regulations and ordinances were proposed and adopted this

year, respecting matters of police, bridewell, fencing and clearing lots, weights and measures, terms, &c. of courts, fees, taverns, &c. &c.

The condition of the French Acadians at this period, especially of that portion of them which was collected at Beauséjour and elsewhere under the French flag, is very precisely indicated in the "*Memoires sur le Canada depuis 1749 jusqu'à*" "1760." *Quebec*, 1838: *p.* 31 *&s.*; of which the following is a translation. "The Acadians became impatient at the length" "of the conferences," (of the commission on the boundaries.) "In vain they were annually told the limits would be settled," "and their fate thereby ameliorated. The mildness with" "which the French commandant treated them was empoison-" "ed by the hauteur and harshness of the abbé de la Loutre," (de Loutre.) "This priest could not resist the ambitious" "desire he felt to receive in person the applause which he" "thought he deserved from the court. He went to France" "under different pretexts, and obtained a sum of 50,000 livres" (£2500 H. currency) "to construct an ABOITEAU. (This" "word has been used by the Acadians, and signifies a dyke" "made in a creek, with a sluice gate, which, when closed," "keeps out the tide, while a causeway or *levée* is made be-" "tween the low lands and the tide.) Le Loutre also obtain-" "ed in France letters in his favor. He returned more vain" "than ever; and to complete his glory, the bishop of Quebec" "named him as his Grand vicar in this country. He no" "longer kept within bounds, but spoke and would act as" "master. He frequently opposed M. de Vassan, and the" "latter needed to remember the orders he had received from" "the governor general, and all the caution of policy, to hinder" "his making an open quarrel with the abbé, and restraining" "his proceedings." "The commandant" (de Vassan) "treat-" "ed the English who had built" (a fort) at Beaubassin," (Fort Lawrence), "with civility, and conducted himself with much" "prudence and discretion in their intercourse, but he was" "nevertheless apprized of their force and of what they were" "doing. He endeavored to gain over the missionaries who" "were among the Acadians. Some he persuaded, but others"

"declined interference, altho' the Grand vicar had promised"
"to liberate them from the oath they had taken to the Eng-"
"lish, on the faith of which they had been allowed to officiate"
"among a disaffected population. It was thus that the abbé"
"de la Loutre sported with religion, and every thing most"
"sacred. M. des Enclaves, curé of Port Royal, engaged to"
"give information, to be couched in phrases preconcerted, but"
"M. de Chauvreulx, who was at Mines, refused to meddle with"
"this business; nevertheless, not to bring mischief on him-"
"self, he neither approved nor hindered the course of any of"
"his parishioners who chose to withdraw and go under the"
"French flag." "Thus M. de Vassan was in a position to"
"know what was going on, and he sent to M. du Quesne a"
"circumstantial account of the English forces in this country,"
"amounting to 1425 men of the regular army, 145 bombar-"
"diers, and a company of rangers of 60 men. They were"
"stationed, part at Halifax, others at Port Royal, Mines,"
"Pichequit, Fort Sackville, Placentia, in Newfoundland, and"
"fort George, towards the river St. John,—exclusive of 150"
"men who garrisoned fort Lawrence. Meanwhile the Aca-"
"dians, enticed" *(debauchés)* "by the abbé de la Loutre,"
"were thronging" (round Beauséjour), "places were given"
"them to build on, while awaiting the decision of the boun-"
"dary question. They were made to believe that they would"
"go back to their properties, and that the English would be"
"confined to the territory of Port Royal; but at the court a"
"different language was used, and it was stated that these"
"were to be settled on the boundaries as a people who had"
"become irreconcileable foes to the English, and from whom"
"nothing was to be feared. The English, hinted, on the"
"contrary, that they were made dupes in the step they took,"
"and should have awaited peaceably on their lands for the"
"decision of the boundaries; that their flight was premature,"
"and against their own interests, and the day would come"
"when they wish too late to go back to their farms. These"
"contradictory discourses made the Acadians undecided as"
"to what they should do, and undetermined whether to"
"return to the fields they had abandoned, or to settle under"

"protection of the French flag. Religion caused them to"
"incline to the latter course. Swayed by the exhortations"
"of Le Loutre, who, fearing their attachment to their pro-"
"perties would, in the end, prevail with them, he caused"
"them to be dispersed in the island" (St. John) "and on the"
"St. John river. They refused to go there, but eventually"
"he constrained them to do so, by the threats he caused to"
"be held out of their properties being devastated, and their"
"wives and children carried off and even massacred in their"
"sight by the Indians. He, notwithstanding, retained around"
"him such of them as were most mild and submissive to his"
"will. It was then that he began to trifle with their misery,"
"and to command them imperiously, and they began to mur-"
"mur. They felt the whole weight of their calamity, and"
"their inability to retract."

"They were mild, humane and sincere, but attached to"
"their religion to the extent of superstition, from which their"
"missionaries had not taken pains to free them. As they"
"could not make up their minds to work" (for the French),
"they resolved to try whether the English would receive"
"them back and restore them their farms, in case they should"
"determine to abandon the French forts. De Loutre and"
"M. de Vassan were informed of this resolution. The first"
"could not restrain his fury. He mounted his pulpit, and"
"spoke with less of religion than of fire and passion. He"
"threatened the thunderbolts of the church, and publicly ill-"
"treated some of those who, to know, had been the first to"
"express their opinions. —— De Vassan was wise. He con-"
"tented himself with reminding them calmly of what the"
"king daily did in their favor—gave them hopes of soon"
"being in a happier position, and if he was stern towards any"
"of them, it was with discretion, and to recal them to reason."
Such opinions entertained of de Loutre by his own countrymen and contemporaries, go far to confirm the unfavorable judgment of his character which Mascarene expressed years before, and which were universal with the English in this country. There is a strong resemblance in his conduct to

that of Gaulin, the difference being chiefly that de Loutre did more extensive mischief.

1753. The settlement at Halifax seems to have been free from attacks of external foes in the early part of 1753, but discord appeared among the people of the place. David Lloyd, who had been clerk to the justices of the peace for three years, stated in a letter to the Bench, that he had only received £25 for this service, and his paper was couched in language which the justices considered insulting. They accordingly complained of him to the governor and council, treating his remonstrance as a libel. At the same time a memorial was sent to the governor and council, charging the justices of the Inferior court with partiality in the proceedings, and praying for a public inquiry. This was signed by Joshua Mauger, Joseph Rundell, Isaac Knott, John Grant, Francis Martin, Edmund Crawley, Richard Catherwood, Robert Campbell, Wm. Nesbit, John Webb, Wm. Magee, S. Zouberbuhler, Samuel Sellon and Isaac Deschamps. Mr. Ephraim Cooke also petitioned against the justices. The judges complained of, were Charles Morris, James Monk, John Duport, Robert Ewer and William Bourn, esquires. They were justices of peace, and also judges of the Inferior court of common pleas for the town and county. They were charged by a second petition, more numerously signed—1. With introducing Massachusetts law and practice. 2. With refusing an appeal in the case of Martin *v.* Fairbanks. 3. In the case of King *v.* James Brennock and others, for refusing leave to examine the crown witnesses,—refusing to hear the prisoners' witnesses,—and improper and impartial charge of first justice. 4, 5, 6, 7. Charges refer to captain Ephraim Cooke's case. 8. Misreading their commission. 9. Continuing courts to accommodate Mr. Little, the king's attorney. January 9, (tuesday), a counter memorial of several persons in favor of the justices, was received. Lloyd was examined. The council investigated the charges, examining witnesses, &c., on the 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, 31 January and 1 February, carefully examining the quotations and authorities in law cited by both parties. On the 6 Feb'y.

they ordered the justices to proceed with the business of the Inferior court and Quarter sessions on Saturday, 10th instant. The council resumed the inquiry on the 19th and 20th February; and 1 March, (thursday), the governor and council pronounced their opinion, by which the justices were exculpated on all the charges.

Almost from the beginning of the settlement, jealousy and animosity prevailed between the settlers sent from England and those who came here from different parts of the continent of America. This created parties among the people, and governor Hopson thought it was probably the cause of the discontent against the judges of the Inferior court. Great stress was laid in these proceedings on the case of captain Ephraim Cooke. This gentleman had commanded one of the transports that brought out the emigrants in 1749, and became himself a settler. (His name is erroneously called Edward Cooke in the official list of the transports.) At that time justices of peace were appointed by a separate commission to each individual, and among others such a commission was given to Cooke. Subsequently a general commission issued, in which Cooke was included with the rest. He was placed in the commissions of the Common Pleas and Inferior courts also. Under these appointments he sat on the bench, until Cornwallis, being dissatisfied with his conduct. dismissed him, issuing new commissions, in which Cooke's name was left out. Cooke, supposing he was not legally superseded, but was still a magistrate under his first commission, exercised the power by granting a warrant, under which a man was arrested. For this he was sued, and damages obtained against him. He insulted the court—was committed for contempt, but favored by a release on bail for his good behavior. Still persisting in his claim to act as a magistrate, he was indicted for that offence, but acquitted by the jury, and became popular.

David Lloyd, the clerk of the peace, was suspended by governor Hopson for his impertinence to the justices, but after a time, on making submission, he was restored to his office.

Hopson, to prevent any suspicion of partiality in the Bench in future, added four to their number, two of whom had been

signers of the complaint. He expresses a hope they may answer that end, "as they now consist of people from almost" "all the different parts of his majesty's dominions." He thinks nothing is more requisite here than proper persons to manage and advise in law affairs, and recommends the sending over a chief justice and an attorney general, to give weight and authority to the courts.

On the 20 Feb'y., 1753, parliament voted

£47,448	5. 10	for charges of the colony of Nova Scotia		for 1752;
and 47,167	6 6	do.	do.	for 1753.
£94,615	12 4			

The town of Halifax at this time contained 35 blocks, each block having 16 lots of ground of 40 feet wide, 60 feet deep. The width of the streets was 55 feet. [*London Mag.*, 1753, *p.* 268.]

Agreeably to orders from the king, a militia was established. All settlers and their servants, (the foreign settlers excepted), males between 16 and 60, were to be provided with musket, flints, powder, and ball, and appear at the rendezvous to be notified on or after 22 May. The punishment of *riding the wooden horse* was enacted by the militia law.

Two English soldiers of the garrison of Fort Lawrence were found scalped in the woods. The Micmacs of that neighborhood disavowed the proceeding. They were, at this time, seemingly quiet, and some other tribes wrote to Hopson to say they would come to Chebucto and make peace in the spring. In April, one Claude Gisigash, an Indian, who stiled himself governor of Lahéve, appeared before the governor and council to make peace, and signed a document to that effect. Two men belonging to Halifax, named Connor and Grace, arrived there, with *six Indian scalps*. It appeared by their statement when brought before the council, that they left Halifax with two other men named Hagarty and Poor, in the schooner Dunk, on 6 February, and went from place to place on the Eastern shore until the 21st, when they got to a situation

between Country harbor and Torbay, where, being wind-bound, they were boarded and captured by Indians. After their surrender, the Indians took them on shore, and set them to cut wood. The Indians murdered and scalped Hagarty and Poor, and carried Connor and Grace as prisoners. Until the 8 April, (Sunday), they so continued. Several of the Indians having gone off, Connor and Grace were left with four Indian men, one woman, and a boy. The four Indian men went to the vessel, leaving their arms behind. Connor and Grace, having been nearly starved, and also threatened with death, took advantage of this occasion. They first killed the woman and the boy, and secured the arms and ammunition, and when the four men came on shore, rushed on them and killed them with guns and axes. Taking, then, some food from the schooner, they got into an Indian canoe, and made their way to Halifax, where they arrived on 15 April. The order of council on this inquiry was, that Connor and Grace should give security to answer any charges the Indians might possibly prefer.

Vessels (men-of-war excepted) were not to fire guns or beat drums on board after sunset. A petition to be relieved from arrears of quit rent, received from Cobequid, was referred to the lords of trade. They stated that the Indians having constantly robbed the receiver there, governor Mascarene had, some years ago, ordered him to receive no more, and they pleaded distress and inability to pay. 16 May. Joseph Cope, son of major Cope, and two other Indians, came before the council, with tales of peace, and begged the use of a small vessel to bring their provisions from Jedore to Halifax for safety, as they said some had been stolen, and their request was acceded to.

Early in this spring it had been decided on to remove the German settlers to Merliguesh, which was now called Lunenburg. Block-houses, materials and frames for magazines, storehouses, and habitations for the people, were to be collected, and transports engaged at Boston for removing persons, their effects, and every thing required there. Provisions were expected from Europe, and tools were to be be-spoken. Some of the foreign settlers had grown uneasy, aud went over to the

French. The Indians remaining quiet at this time, favored the plan of settlements. On the 26 May, Patrick Sutherland, Sebastian Zouberbouhler and John Creighton, were appointed justices of the peace for Lunenburg. Fourteen transports, varying in tonnage from 60 to 98 tons, and the sloop York, capt. Sylvanus Cobb, were employed to transport the Germans to Lunenburg; and 92 regulars, as well as 66 rangers, were sent there. Colonel Lawrence was instructed to take command of the troops and settlers. The town had been already laid out, and he was directed to lay out the adjacent cleared land among the settlers by lot, in the same manner; to reserve the beach to the crown. He was empowered to distribute building materials, not to exceed 700 feet of boards, 500 bricks, and nails proportionate, to each family building a house. In his absence, captain Patrick Sutherland was to command. At this time rumors of an Indian party of 300 men, collected to oppose the settlement of *Merligash*, were spread; but the first embarkation for Lunenburg, consisting of 450 persons, armed and fit for service, soldiers and settlers, were ready on the 29th May, to sail as soon as the wind was fair, and the rest were to follow as soon as these had got a safe footing. The Albany, capt. Rouse, was to act as convoy. It is probable that this first expedition arrived at Lunenburg early in June.

The militia of Halifax were assembled by a proclamation, to meet at 7, A. M., on Wednesday, 6th June, with arms and ammunition; those of the South suburbs "within the pick-" "ets opposite the end of Barrington street, near Horseman's" "fort;" those of the North suburbs "between the Grena-" "dier's fort and Luttrell's fort," and those of the town "on" "the esplanade on the citadel hill." In July and August, 57 officers of militia took the oaths to government.—On the 6 August. Sir William Shirley returned to New England. On the 18 August, his Excellency communicated to the council a letter, dated from Paris, 30 March, 1753, signed by the abbé de l'Isle Dieu, who stiles himself Vicar General of the French colonies in Canada, recommending the bearer, M. Daudin, a priest, to be established among the French inhabitants

in this province, and the governor gave him a licence to officiate for six months. 21 August. The laws made here since the arrival of governor Cornwallis, were ordered to be collected and printed. 28 Aug. The hon. Robert Monckton, esq'r., was appointed a member of H. M. council, and took the oaths and his seat. On the 16 May, 1753, at the request of Joseph Cope, the son of J. B. Cope, the Indian who called himself major, a small sloop was sent by the government to convey them home, and to remove the provisions given them from Jedore. In this vessel were Mr. Bannerman, Mr. Samuel Cleveland, one Anthony Casteel, and four bargemen. They sailed accordingly at once, and arrived at Isidore *(Jedore)* the next day. There they were civilly treated by the Indians, major Cope telling them he would write to his brother, the governor. When they had near finished the business they were sent upon, Mr. Bannerman, with four hands, went ashore in his boat, and was surprized and taken prisoner with his people. Immediately afterwards the Indians came on board the sloop, after firing several shots at them. They then seized Mr. Cleve land and Casteel. They decided to spare Casteel, who called himself a Frenchman. The others they killed with their hatchets and took off their scalps. Cope boasting of his being a good soldier, in conducting this enterprise and distressing the English. Casteel was carried by the Indians by the river Shubenacadie to Cobequid, thence to Tatamagouche and Remsek; thence they were carried to bay Verte, at a French fort there called Gasparo. He was examined as to the state of the English settlements at Halifax and Lunenburg. Casteel was after this ransomed for 300 livres, from the Indians, by Jacques Morris, a French inhabitant, and sent to Louisbourg, where he arrived 16 June. There he was closely examined by the governor, count Raymond, and after that subjected to interrogatories by M. Loutre, who treated him with very abusive language, and inveighed bitterly against Mr. Cornwallis, and said that if the English governor wanted a peace, he ought to write to him, and not treat with the tail of Indians,—that the English might build forts, but he would torment them with his Indians. Casteel got a pass from the governor, and was

allowed to return to Halifax. The vessel in which Bannerman, Cleveland and others, were sent to Jedore, was destroyed by the Indians. This vessel had belonged to one Henry Ferguson and Cleveland. The council gave £25 to Ferguson, and the same sum to the widow, Sarah Cleveland, for their interests in the vessel. They also voted £30 to the widow Cleveland and her children, as a gratuity, and £30 to the two sisters of Mr. James Bannerman, who was murdered at the same time, and £30 to Anthony Casteel, who went in the vessel by the governor's orders. Governor Hopson's health was bad, and he suffered from weakness in his eyes. He therefore obtained a year's leave of absence, dated 28 June. In September, the petition of the people of Mines for permitting Daudin to officiate as priest, was considered. He refused to take the oath of allegiance. The council were of opinion that the French design was to delude the people to leave the province, and in order to defeat this scheme they waived the oath. M. de Vassan being removed from Beauséjour, M. de la Martinière was sent there as commandant. The latter, who was a quiet and religious man, interfered little with the Acadian refugees. The French inhabitants there united in a petition to governor Hopson.. They state that their reason for deserting their lands and going there, was, that governor Cornwallis demanded from them what they called a new oath, breaking and revoking the one granted them 11 Oct., 1727, by Mr. Robert Wroth, ensign, &c., and Laurence Armstrong, esq'r., governor of the province. They offer to swear fidelity to the king, on conditions—1. Not to be obliged to take up arms against the English, the French, the Indians, or any other nation, and to be exempted from going as pilots or guides, &c. 2. They and their offspring, at any time, to sell or remove their effects, and go elsewhere, and the moment they have got beyond the British territory, to be considered free from their oaths of allegiance. 3. To have free exercise of their religion, and their priests not to be obliged to take the oath of allegiance. 4. Full restoration to their landed property. These terms to be granted and ratified in England. This petition was presented and read before the governor and council, thursday,

27 Sept'r., 1753, at the governor's house in Halifax, by two Frenchmen, who produced also a paper signed by about 80 of the inhabitants, authorizing them to act as their deputies. The decision of the council was, that an oath of allegiance should be tendered to them, and such of them as took it on or before the 20 November next, before George Scott, esq'r., J. P. and commandant of Chignecto, should be restored to their lands at Chignecto—have free exercise of their religion and priests as the other French inhabitants, &c., nothing being said about the neutral rights demanded. The demand of a privilege that they and their desoendants should always have a right reserved to emigrate and retire free from their allegiance whenever it suited them, was one of the most preposterous and absurd proposals that can well be conceived. Much ill humor and altercation arose between de Loutre and the signers of this petition, each party charging the other with deception and want of good faith. Early in December, president Lawrence learned that the French of Chignecto had not accepted the oath, or returned to their lands at Beaubassin, as they wished the exemption from bearing arms, without which they would not swear allegiance. The soldiers and settlers at Merligash (Lunenburg) are stated (1 Oct'r) to amount to 650 men, well armed. Hopson says they might fall into the same kind of neutrality claimed by the Acadians, unless care be taken. He approves of the idea suggested by the lords of trade of giving them hogs and live stock, and thinks £2000 would be well laid out on that purpose. Some of them he has employed as overseers, besides English in the same capacity. The justices Zouberbouhler and Creighton were also paid for their services. The people of Lunenburg began to be uneasy at having neither church nor clergyman, except the Swiss, who have a French minister, Mr. Moreau. The church was put in the estimate for 1754. The people there were very industrious.—At this time the town of Dartmouth was picketted in, and had a detachment of troops to protect it, but not above five families residing there, as there was no trade or fishery to maintain them, and they were afraid to cultivate land outside their pickets on account of the Indians. The

French garrison at Beauséjour in the autumn of 1752 was computed at 140, regulars and Canadian militia. It was now supposed to have been reduced by desertions and other causes, and not to exceed 60 men. In the baie Verte they had a fort on the river Gasparo, but defended by only twelve or fourteen men. The inhabitants under the French flag there, living within a space of six or seven miles, mustered on festivals about 300. These all had arms and ammunition, and were ordered to repair to the fort upon any alarm. The original inhabitants on that side were pretty well settled, having good houses, gardens, and other ground, which those who had been enticed from the English side had not, but were kept in hopes from time to time of being settled elsewhere. Early in the spring of 1753 they began to repair the fort at Beauséjour; one curtain they faced with timber, and set about sodding the works which before were supported by fascines. The Indians at this time were encouraged, fed, and protected from pursuit by the French, while warring on the English, and it was asserted and generally believed that the French often were mixed among them in their hostile expeditions.

On the 1st November, governor Hopson sailed for England in the Torrington, and the command of the province thereby devolved upon the honorable Charles Lawrence, esq'r. This was notified next day by Mr. Hinshelwood, the acting secretary, to the several commandants; captain George Scott, Fort Lawrence; captain Handfield, Annapolis; captain Hale, Pisiquid; captain Cox, Vieux logis, and Erasmus James Philipps, commissary at Annapolis; and captain Floyer was authorized to relieve captain Hale, at Piziquid. The York, capt. Cobb, and the Ulysses, capt. Rogers, were still in the employment of the government, carrying stores, officers, &c., to the bay of Fundy and elsewhere.

In November, two Indians, one a chief, came as deputies of the cape Sable tribe to profess friendship, averring that they had not joined with the others in any hostility, and on that account had received no aid from the French. They also stated that they were in extreme want and distress. Their tribe were 60 in number. The council voted them 2000 lb.

bread, 3 barrels of pork, 20 blankets, 30 lb. powder, 60 lb. shot, 50 lb. tobacco, 1 gross pipes, 2 hats, gold laced for the chiefs, one hat, silver laced for the deputy, and £10 to the master of the schooner for their passages from Lunenburg and back. A question existed as to the lands deserted by those who had gone over to the French, their next heirs thinking they became entitled to them, as they would in case of their death. The priest Daudin had written on this point to Mr. Cotterell, the secretary, but the latter conceived the lands were forfeited to the king. At this time the French Acadians had one church, and an officiating priest, M. des Enclaves, at Annapolis; a church at Cobequid, but no priest there; two churches at Piziquid, one at Mines, and one at river Canard, with three priests among them, one of whom was too aged to officiate,—in all 6 churches and 4 priests—Desenclaves, Chauvreulx, Daudin and Maillard.

The fort at Mines basin called *Vieux logis*, was erected late in the first season of Mr. Cornwallis's government, to prevent the French inhabitants driving off their cattle, as they propoposed to do, and to curb them. As it was too late in the year to build barracks, they enclosed three French houses in a triangular picketting, with half bastions. They were situated upon a low, flat ground, commanded by a hill, and so exposed to the weather that in deep snows it has been often possible to walk over the palissades. This place was now so out of repair that it would soon become useless, unless large sums were spent upon it. President Lawrence recommended that it should be abandoned, and its garrison sent to Pisiquid to strengthen that post. Fort Edward, built in 1750, by Mr. Lawrence, then major, had sufficient barrack accommodation for both garrisons; and when they should be thus united, detachments might, on occasion, be sent out, which was not now prudent from either. With the aid of boats in Mines bason, he thought Fort Edward, thus reinforced, would answer all purposes that could be expected from both in their existing condition. If the French of Mines should again become troublesome, there was a place near the present fort where a little redoubt might be built at a trifling expense, that would be as useful as a larger one at the actual site.

CHAPTER XVII.

THE German settlers had, at an early period after their arrival at Halifax, given marks of dissatisfaction, and some of them had gone off to the French colonies. When removed to Lunenburg, they exhibited a spirit which Lawrence, who commanded there at the time, calls mutinous and violent, but this, he states in his letter of 5 Dec'r. to the board of trade, had somewhat subsided. From the general industry and uprightness they have always evinced, we may fairly conclude that they had just causes of complaint, although their conduct may have been rash. Unacquainted as most of them were with the language of our nation or its laws, there should be allowance made for the errors some of them have been led into. However this may be, Mr. Lawrence, now the president administering the government, was roused from fancied peace and security.

On Saturday, the 15 December, at 9, A. M., lieutenant colonel Patrick Sutherland, who had the command of the troops and the settlers at Lunenburg, was informed that a large number of the inhabitants were assembling at the block-house erected there for the militia to mount guard in, and that they had confined one John Petriquin, under a pretence that he had concealed a letter which he said he had received from England, enumerating a number of articles sent over for them, that they had not received. Lieut. colonel Sutherland and Mr. Zouberbuhler, J. P., went to the block-house, where they found Petriquin confined in the *black hole.* They could not ascertain who had confined him, on which they released him. They had not got very far, when a mob took Petriquin out of their

hands and imprisoned him again. Sutherland having, without success, attempted to reason with the populace, ordered the proclamation (under the riot act) to be read, after which he called on a constable who was there to arrest one of the ringleaders. The constable refused to do so. On this, Mr. Sutherland retired, and about three hours after sent three constables with a warrant to bring Petriquin before him, and to require his accusers to appear. The people refused to allow this warrant to be executed, but promised to send the prisoner to be examined after dinner. As this promise was not fulfilled, Sutherland and Zouberbuhler went to the block-house in the evening. Sutherland addressed them in vain for near an hour, but failed to induce them to give up the prisoner. The inhabitants put Petriquin to torture, under the pressure of which he stated that the alleged letter was in the hands of Zouberbuhler, who had given him ten guineas to say nothing about it. At all other times the prisoner denied that he ever had such a letter. The mob threatened to pull Zouberbuhler limb from limb, and he retired to the fort for protection. On the 16 December, (sunday), the populace in the morning came to the fort, and threatened to burst in the gate. They demanded Zouberbuhler, dead or alive. Sutherland refusing to give him up, they proposed he should give them a bond not to send Zouberbuhler to Halifax. This, of course, he declined, and they menaced Sutherland that they would seize himself, and declared openly that they would no longer submit to any government whatever. Their arms were all lodged in the militia block-house, and they summoned everybody to join them, under the pain of death. In the evening they went armed to the West log house, where a corporal's guard of the troops was kept, and demanded its surrender. This being refused them, they fired upon the guard. The fire was returned, and two of them were wounded. Lieut. colonel Sutherland sent lieutenant Adams to Halifax with a letter to president Lawrence, to inform him of his situation. Adams arrived here on the evening of monday, the 17th. Lawrence applied at once to Mr. Henry Baker, commander of H. M. sloop Wasp, for twenty of his seamen, as he intended to send the two sloops belonging to the govern-

ment to Lunenburg immediately, and on tuesday he collected the council at his house, messrs. Green, Steele, Collier, Cotterel and Monckton, being present; and the letter being read, and lieut. Adams examined, it was decided to send two hundred regular troops to Lunenburg, whom colonel Monckton volunteered to command. The council advised that the inhabitants there should be disarmed. Four vessels were at once sent to Lunenburg with Monckton's detachment. The vessels were got ready in a few hours, and sailed as soon as the wind would permit. The garrison of Halifax was thus reduced to three hundred men, and Lawrence had two militia guards mounted every night in addition. The soldiers arrived in safety, and the militia block-house was abandoned to them on Monckton's demand. In two or three days he succeeded in disarming the people peaceably. Monckton stated that he observed a strong disposition in them to throw off all subjection to any government, and to affect the same kind of independancy that the French inhabitants have done. They had always insisted that the Indians would distinguish them from the English, and never interrupt them, which notion he believed had been privately propagated among them by French emissaries. There was no proof, however, that the French had instigated them in this mutiny. Monckton advised that, as the people there were so generally implicated, the better course would be to grant a general forgiveness, Lawrence, however, desired to punish the ringleaders, and it will be seen hereafter that one prominent actor was tried and sentenced. On the deposition of Petriquin against Mr. John William Hoffman, who had been a justice of peace at Halifax, the latter was sent up a prisoner on the charge of having been a chief actor in this mutiny, and Lawrence immediately committed him to prison, with strict orders that he should not be allowed to converse with, nor write to anybody, nor even have the use of pen, ink or paper.

1754. By the 15 January, 1754, the disturbances at Lunenburg had subsided, and Monckton, leaving one officer and forty men there to take charge of the block-house, returned to Halifax with the rest of his detachment, leaving the people perfectly

quiet. Hoffman was tried some months afterwards at the general court. He was first indicted for high treason, but as two witnesses to each overt act were legally necessary, and there was but one witness to the principal fact, the grand jury rejected the bill. He was then indicted for high crimes and misdemeanors, and found guilty of part only of the charges. One of the witnesses against him had varied much in his tale on different occasions. The sentence of the court, (governor and council), was a "fine of —— hundred pounds and two" "years imprisonment." Lawrence says "He has petitioned" "frequently to be pardoned, but as I know him to be so mis-" "chievous a fellow, and that the immediate consequences of" "his liberty would be the destruction of that harmony and" "industry that now prevails at Lunenburg, I should be very" "cautious of letting him out. I heartily wish the colony was" "well rid of him."

In the spring of this year, 1754, colonel Lawrence says the Indians were quiet. This he attributed to the French being very busy in strengthening themselves at *baie Verte* and Beauséjour, between which places they had lately made a fine road, and thus having their hands full, had been remiss in stirring up mischief among their allies. Thinking this a favorable opportunity to form out-settlements, he encouraged their progress by a grant of the township of Lawrencetown to twenty applicants in Halifax, each receiving one thousand acres. Their grant extended from Chezetcook to Cole harbor, and they engaged to settle twenty families on it. He sent in May two hundred regulars and some rangers there to protect the people engaged in the work. [See vol. 1, p. 199, grant of Mascoudabouet, in 1690, to des Goutin, same place.] The soldiers cut a road from Dartmouth to the new town, which was to be on a small peninsula, the isthmus of which was picketted in, and a block-house erected within the palissading. This was about ten miles from Dartmouth.

About the same time, capt. Ephraim Cooke, who had spent some thousands in improving his lots at Halifax, proposed to form a settlement at Mahone bay. He built a block-house, which he took down there. He intended to put up a saw mill

—set to work to build two vessels and import cattle from New England—clear land, &c. &c. A government sloop was ordered to assist his operation, and a party of rangers sent there for protection, and he was indulged by the selection at his desire, of captain Lewis to command them, who was his old shipmate and acquaintance. Colonel Sutherland, who commanded at Lunenburg, was directed to give him any aid he wanted, and to reserve any land that Cooke might prefer to be granted to him.

Lawrence also had the sources of the Shubenacadie river (which he calls Chibenacadie) explored. It was by the course of this water and the lakes in that vicinity that the Indians came and went on their hostile visits to Dartmouth. The president recommends a fort to be built at the mouth of the river, as a check on the Acadians carrying cattle to the French posts. If this were erected, he thought the river would soon be settled. A good deal of land was already cleared on its banks, and the finest oak and elm timber was to be found there, while the streams abounded with fish. The frost of the past winter had not been so hard nor of so long continuance as usual, and on this account the party of officers who had been exploring were not enabled to survey the country as fully as they expected.—At Lunenburg everything went well. The inhabitants displayed remarkable industry in clearing and cultivating their town and garden lots, and made some progress with their farming also. Before the end of May they had in the ground barley, oats, turnips, potatoes and flax, and had cut large quantities of timber, staves and hoops, and built many boats and canoes. The price of labor among them was not over a shilling a day; and they were enabled to supply the New England vessels that called there for it, returning from Halifax or Louisbourg, with firewood at two shillings per cord. In many things the English inhabitants of 1754 were under difficulties and disadvantages unknown to their descendants in 1865. The houses in which they had shelter could be almost packed by the dozen in some of our modern stores in Granville street, or mansions in the South end of the city. What they called roads must have been often mere tracks or

rough paths, from which a tree had been here and there cut down, leaving its stump above ground; and possibly what is now known in our wood lands as a corduroy, closely resembles the better description of roads then in use. Down to a much later date, the roads, in order to shorten the distance, ascended hill tops and crossed low streams or marshy spots. The bushes and young growth made the woods difficult to penetrate in summer, while in winter the deep snow made them impassable without the aid of the *raquette.* Unless you had guides acquainted with the way, it was easy to get lost in the woods, and to get lost there was nearly always fatal. In the town were many conveniences, but, at any distance from it, every letter required an express messenger to carry it—every article of food or clothing wanted, must, in most cases, await the chance of being brought by water. The little garrisons at Chignecto, Annapolis and Fort Edward, for their supplies in many respects, depended on the arrival of capts. Cobb, Rogers or Taggart, in one of the government sloops. These vessels took the annual or semi-annual relief to their destination. They carried the officers and their families to and fro, as required. The baggage, specie, and much of the provisions, had to be sent by this circuit into all points in the bay of Fundy. The communication also with Europe was but casual, and the Boston traders found it more profitable to supply Louisbourg than Halifax, thirty of their craft together being sometimes lying at the former haven.

Again, the terrors of Indian warfare beset the resident, with rare intervals of quiescence. The shrill screams of the victims of the Dartmouth slaughter were not easily forgotten, and few would venture to a distance from fort or block-house. To compensate many such disadvantages, there was, to those who had left the regions of old civilization, a sense of freedom, arising not only from the aspect of wild natural scenery, but in the removal of a thousand conventional shackles that tie down the human mind, and leave it little scope for spontaneous action, and which define sharply and within narrow limits the pursuits, labors and enjoyments of man. Relieved from moving for life in the beaten track—the narrow groove

which society permits — they were placed in a situation where every kind of ability, mental or physical, has the utmost value. In the common brotherhood and sympathy awakened in those who have cast their lot together in forming a new community in the wilderness, and who have in the new climate, the Indian foe, and the labors to be undergone with the axe and spade, causes of mutual help and adherence, men feel but little of the repulsion of castes and ranks. Indeed the healthy and industrious laborer or mechanic is, in some sense, already a rich man. The demand for labor places him in a better position to maintain and provide for a family, than is he who has a small capital without the physical strength and habits of work, which are incessantly required in a new colony. The heart of humanity is aroused — its affections called into active play, and self-respect produced in those whose life would be but a dull vegetation in the cities of the old world. The abundance of fish in the waters, the profusion of game in the forests, and the plenty of birds everywhere, all which were to be had free from the claims of proprietors or the penalties of game laws, were obvious advantages, although not so readily enjoyed until after peace with the aborigines was established. The fertility of the soil in many places was remarkable, and cheering to the hopes of the adventurer, tho' he might only now embrace with safety the commerce in furs or the fishery. Fuel was abundant and cheap, and by the winter fires, where the wood was piled high on the hearths of their merry homes, how many a tale of adventure must have been told by the veterans of land and sea service of the perils past. Some of the settlers could tell of the rebellion of 1745, and prince Charles. There were those who had conquered at Louisbourg but a few years before, and those who had been at Mines with Noble after that. The destruction of d'Anville's expedition — the death of the two chiefs and so many of their people on this very spot — the finding of the bodies of French soldiers, reclined against trees with their muskets, man and weapon alike undergoing decomposition or decay. These, and like narratives, no doubt often whiled away the long hours in circles of families and friends. If division of senti-

ment, from whatever cause, gave rise to anger, the breach was soon made up, and kindness resumed her reign. The civil officers of the colony received fair allowances out of the parliamentary grant for their services. The military were, as they have usually been, well cared for by the crown. The merchants seemed to thrive, and the laborious classes could only be idle when it was their own wish. Lawrence and Monckton stood high as officers, and attained still higher distinction as occasion brought out their talent. Bulkely, Gates, Tonge, and many of the other officials, were men of decided talent. With the freedom ensured by British institutions, a settlement begun by the energetic Cornwallis, and carried on after his departure by men of uprightness and information, could hardly fail of success. Much of the social and festive spirit that animated Poutrincourt and his associates at Port Royal long before, is said to have reigned in Halifax among its first founders; and while we are much advanced in the commodiousness of our dwellings and their furniture—in the means of easy and rapid locomotion, and in many other things which science and art have since that time improved,—have a cultivated country—intercourse with all the world, and the fullest protection and tranquillity at home, it may yet be a question whether we enjoy ourselves better than did the first settlers of our city in forest life and unpretentious surroundings.

In this year we find, perhaps, the earliest notice extant of a newspaper published in Nova Scotia. In a letter of secretary Cotterell to captain Floyer, at Piziquid, speaking of the priest, M. Daudin, he says: "If he chuses to play the *Bel esprit* in" "the Halifax Gazette, he may communicate his matter to the" "printer as soon as he pleases, as he will not print it without" "shewing it to me."

M. de la Martinière, who had been made both commandant and commissary at Beauséjour in 1753, was now removed, and M. du Chambon de Vergor, son of Duchambon, who surrendered Louisbourg in 1745, and the same person whom Rous had captured in the brigantine St. Francis, was sent in his place. Vergor is said to have had a great number of relations in Acadie. (Louis du Pont du Chambon, lieutenant, &c., was

married at Port Royal in 1709 to Jean Mius d'Entremont du Poubomcou, the daughter of Jacques Mius and Anne de la Tour. M. du Chambon Vergor, commandant of Beauséjour, was his son, promoted to this post by favor of M. Bigot, who had been intendant at Louisbourg under his father.) Bigot, who procured him the appointment, is said to have written to him in these terms: "Profit, my dear Vergor, by your place;" "cut, clip,—you have every power,—in order that you may" "soon come and join me in France, and buy an estate in my" "neighborhood." Our old friend Mascarene was this summer employed to attend governor Shirley, at conferences with the Eastern Indians. Captain Hamilton, who had been captured at Mines, and afterwards ransomed from Canada, while a prisoner became acquainted with de Loutre, and retained a sense of obligation to him for his civilities. De Loutre seems to have thought it expedient to endeavor to open some negociations with the English on behalf of his Micmac followers, and he availed himself of Hamilton's gratitude and good opinion to make him the channel of intercourse. Hamilton accordingly wrote to governor Lawrence on the subject. We have the letter of the secretary, capt. Cotterell, addresssed to capt. Hamilton, then at Annapolis, dated 3 June, 1754, in which he says, after thanking him in Cornwallis's name for the trouble he has taken, that the governor cannot help differing from him (Hamilton) much, in his opinion of le Loutre's sincerity and good intentions, having so often experienced his proneness to all manner of mischief and iniquity. Cotterell proceeds thus: "And I can for my own part assure you, that he made" "the very same proposal, almost *verbatim*, that you have now" "transmitted, to captain How and me at Chignecto, about" "three days before he caused that horrible treachery to be" "perpetrated against poor How, who was drawn into it under" "a pretence of conferring with le Loutre upon this very sub-" "ject." Hamilton is to say in reply that the English are not the aggressors, but on the contrary ready to make peace, and the Indians well know where and how to apply for it. A short time after the governor authorized Hamilton to meet le Loutre, not to assume authority to negociate, but if anything

material is said, to report it to his commanding officer, (then capt. George Scott.) In July, captain Hussey had relieved Scott in the command at Chignecto, and on 30th the secretary wrote him that the council had resolved to treat with the Indians for peace, if le Loutre was sincere in proposing it. To send any one there to negociate would be impracticable, and to treat by correspondence very dilatory. Hussey was therefore to notify le Loutre that the Indian chiefs, himself, or any other person on their behalf, might venture with great security to come to Halifax with a pass from him, Hussey, where they would be perfectly disposed to negociate a peace, and that they should preserve tranquillity during the discussion of terms, as le Loutre had suggested. Captain Hussey, in consequence, entered into conference and correspondence with the French commandant of Beauséjour, and with le Loutre. Eventually le Loutre wrote a long letter to governor Lawrence, date 27 August, proposing, on behalf of his Indian friends and followers, that all the territory in the Eastern part of the province, which is now comprised in the counties of Cumberland, Colchester, Pictou, Antigonish and Guysborough, great part of Hants, and all that part of Halifax county East of the river Musquodoboit, should be ceded in perpetuity to the Micmacs. Fort Lawrence to be given up as part of it, and no fort, English or French, to be permitted within their bounds. The demand runs thus in his letter, alleged as the claim of the Indians themselves: "4th. That this space of" "land shall be from the South of bay Verte, including Fort" "Lawrence, and the lands dependant thereon, as far as the en-" "trance of the bay of Mines; thence running into Cobequid," "and including Chigabenacady," (Shubenacadie); "leaving" "this last place, formerly my mission, remounting and des-" "cending as far as the river Mouskedaboueck, and from that" "place, which is about eight leagues East of Halifax, passing" "by the bay of Islands, St. Mary's bay, and Moukodome," (Country harbor), "as far as Cançeau, and from Cançeau by" "the passage of Fronsac," (Gut of Canso), "as far as the" "said bay Verte." The letter touched on many other points respecting the Acadians, &c., but this demand was so prepos-

terous, that the governor and council, 9 September, voted the contents 'too insolent and absurd to be answered through' 'the author,' but the commandant at Chignecto was directed to acquaint the Indians that if they wished for peace they might repair to Halifax, where they would be met with reasonable conditions. Le Loutre complained that when he went by appointment with two Indian deputies to meet Hussey, the latter received them haughtily, being in a small carriage, from which he did not alight to greet them. We may believe this was a grievance got up as a pretence. Hamilton dined with him, he says, and it appears as if the good nature of this young officer had been played on. At this time, it seems, that both the deserted Acadians and the Micmacs were sick of a war with the English, by which the former were losing their homes and happiness, and the latter gained but very little, and all these conferences and letters must have been carried on by le Loutre rather to pacify his own followers, than with the slightest wish or expectation on his part of the restoration of peace. The new commandant of Beauséjour, Vergor, we are told, did not at first adopt le Loutre's policy, but aimed at diminishing his influence, although finally compelled to yield to him. There were eighty families of the refugee Acadians, who had left their homes, still remaining at Beauséjour, besides all that had been sent to the island of St. John and to St. John river. These deserters were not only a charge to the French government, but their presence was in many ways inconvenient to the old settlers on the N. W. side of the Missiguash. The English traders who frequented fort Lawrence, which was built at the old village of Beaubassin, sold their goods at lower prices than they could be got on the French side; and to attract customers, they gave them credit—would also take the French paper money in exchange, and were in the habit of giving those who came to deal with them plenty of drink. All this resulted in a memorial they sent to Vergor, stating their misery, and requiring permission to go back to their lands. This he refused to do, and even issued orders that no one should cross the *Buot* bridge or go to Fort Lawrence, but this they evaded, and indeed the discontent spread among the old

settlers also. [*See Mem. sur le Canada. Quebec*, 1838, *p.* 39.] Although the French inhabitants of Annapolis, Mines and Piziquid were forbidden to go to Beauséjour to work for the French authorities, yet 300 or 400 of them disregarded the order, and went there. In June, a proclamation was directed to enforce their return, and the deputies were to report the names of all who had so gone from their homes.

This year the president received an order to build a battery on the East side of Halifax harbor.

CHAPTER XVIII.

It is necessary now to turn our attention to what was transpiring in another part of the American continent, as it bore eventually on the fate of all America; and the importance of the occurrence will excuse its introduction here, although its effect on the destinies of Acadie, however powerful, was indirect.

In the year 1749, an association, consisting of some gentlemen in Virginia and some merchants in London, was established by charter under the name of the Ohio company; and they obtained a grant of 600,000 acres of land upon the river Ohio. The charter and grant the French soon heard of, and therefore the very next year their governor of Canada wrote to our governors of New York and Pensilvania, that our Indian traders had encroached on their territories by trading with their Indians, and that if they continued to do so, he should be obliged to seize them wherever they were found; which was the first time that either the French or we had pretended to an exclusive trade with any Indians, or even with those that were declared friends or allies of the other: On the contrary, it was expressly stipulated by the fifteenth article of the treaty of Utrecht, that on both sides, the two nations should enjoy full liberty of going and coming among the Indians of either side on account of trade; and that the natives of the Indian countries should, with the same liberty, resort as they pleased to the British and French colonies, for promoting trade on the one side and the other, without any molestation or hindrance, either on the part of the British subjects or of the French.

In the year 1751, the French put their menace in execution, by seizing three of our Indian traders, whom they found trading among the Twigtwees, a numerous nation inhabiting the country westward of the Ohio. At this very time, Mr. Gist, employed by the Ohio company, was upon the Ohio, surveying the lands upon that river, in order to have 600,000 acres of the best of them, and most convenient for the Indian trade, laid out and appropriated to the company; and tho' he concealed his business from the Indians, yet, it is said, that both they and the French were informed of it by our Indian traders, who were jealous of that company as their most dangerous rivals in the Indian trade. But these traders were soon made sensible that the French would be much more dangerous neighbours; for the latter presently set about building two forts on the south side of lake Erie and upon Beef river. As they now began to seize and plunder every British trader they found upon any part of the Ohio, repeated complaints of their behavior were made to the governor of Virginia, where the new Ohio company had such weight, that at last, towards the end of the year 1753, major Washington was sent to the French governor of these two forts, M. Contrecoeur, to summon him to retire, and to demand a reason for his hostile proceedings; and at the same time a resolution was taken, to build a fort somewhere near, or upon the forks of the Ohio. The major accordingly went and delivered his message to the French officer, who for answer said, "That he knew of no hostilities that had been committed: That he could receive no orders, nor would he obey any, but those of his most Christian majesty, or his governor of Canada: That as the country belonged to the king of France, no Englishman had a right to trade upon any of its rivers; and therefore that he would, according to his orders, seize, and send prisoner to Canada, every Englishman that should attempt to trade upon the Ohio or any of its branches." The colony of Virginia acted with more vigor than Pensilvania had done. Before major Washington's return, and before they had heard of the above insolent answer given to him by the French commandant, they had provided and sent out proper people and materials for

erecting a fort at the conflux of the Ohio and Monongahela, which he met upon his return; but upon his report, they might have expected that the French would attack and drive away the people they had sent out, especially as they had before driven away all our people that were settled upon the Ohio, and had demolished a truck house we had at Picckanvillany, upon the river Miamis, at least 200 miles west of the new intended fort. The colony of Virginia rightly resolved to oppose the French incroachments by themselves alone, and without any other assistance except one independent company, commanded by capt. James Mackay, who, upon the first order, marched with the utmost expedition from South Carolina to their assistance; for they would not wait for the two independent companies from New York, who were likewise ordered to their assistance, and actually arrived in Virginia about the end of June or beginning of July; but long before they arrived, major, now called colonel Washington, had marched with captain Mackay's company, and 300 men raised by the colony under his command. On the 20 May, M. de Contrecoeur sent out a party of 33 men, under an officer named Jumonville, as soon as he heard that Mr. Washington was arrived at the place called the Great Meadows, near the river Monongahela; and to this party he gave orders to march near to where our people were, and to seem as if they intended to pass them, in order to intercept their provisions; but at the same time he gave the officer an order, in writing, to cite or warn our people to retire from the ground whereon they were, as being within the French territory. On the 28th of May, accordingly, Mr. Washington fell into the snare; for, as soon as he got sight of this party, he marched against them, and, without sending to demand their business, or to require them to retire, attacked them with such vigor, tho' he had then but about 50 men with him, that they were all either taken or killed, M. Jumonville being among the latter, and an officer and two cadets among the former, all of whom, in number 21, he sent prisoners to Winchester, under a guard of 20 men; and in this skirmish, which, in his letter to his brother, he calls a battle, and a most signal victory, he says, he had but one man killed and two or

three wounded. In a letter to one of his brothers, dated 31st May, 1754, George Washington says: "We expect every hour" "to be attacked by superior force; but if they forbear for" "one day longer, we shall be prepared for them. We have" "already got entrenchments, and are about a palissade, which" "I hope will be finished to-day. The Mingoes have struck" "the French, and I hope will give a good blow before they" "have done. I expect forty odd of them here to-night, which," "with our fort and some reinforcements from colonel Troy," "will enable us to exert our noble courage with spirit." Alluding in a postscript to the late affair, he says: "I fortunately" "escaped without any wound; for the right wing, where I" "stood, was exposed to and received all the enemy's fire, and" "it was the part where the man was killed and the rest" "wounded. *I heard the bullets whistle*, and believe me, there" "is something charming in the sound." [*London Magazine for* 1754, *p.* 370.] The French stated that Jumonville was shot while attempting to read his despatch to the provincials, but it seems an incredible story. As the parties were so nearly equal in number, it seems improbable that if the French shewed pacific intentions, the others would have fired on them. On the 3d July, about nine o'clock in the morning, he received intelligence that M. de Villier, having received a reinforcement of 760 men, was in full march with 900 men, besides Indians, to attack him. Washington and his party were at a place called the Great Flats or Meadows, and they had raised only a small incomplete intrenchment, which they had called Fort Necessity, and they had not altogether above 400 men, many of whom were sick. By 11 o'clock of that day the French began the attack. Thanachrishon, an Indian chief, called the half-king, said "that colonel Washington lay in one place from one full moon to the other, without making any fortifications, except that little thing on the meadow; whereas, had he taken advice, and built such fortifications as I advised him, he might easily have beat off the French. But, says he, the French in the Engagement acted like cowards, and the English like fools." However, notwithstanding the insufficiency of their intrenchment, the colonel, and the men under his command,

bravely resolved to defend themselves to the last man, and by their shot killed a great number of the enemy, tho' with considerable loss to themselves, as their intrenchments were but a poor defence against the shot of the besiegers, who never fired without taking aim, and sheltered themselves as much as they could behind the adjacent trees, as no care had been taken to cut down and clear the woods within shot of the trenches; nor had the besieged any shelter from an incessant rain, but were obliged to stand in their trenches, which were at last half full of water. Not an Indian came to the assistance of the English, and even many whom they had thought their friends were with the besiegers. Yet in this condition they defended themselves till eight o'clock at night, when M. Villier, seeing what desperate men he had to deal with, to save his own people, offered them an honorable capitulation, and by twelve the terms were agreed on.

George Washington was but 22 years old at this time, and perhaps had not even dreamed of the future elevation he was to reach. His father had been employed in Virginia as an Inspecting field officer of militia, with a small salary from the colony. He died, leaving a young family, and George, his son, was continued in his father's office. He had a brother a midshipman in the Royal navy.

CAPITULATION *granted by M. de Villier, captain and commander of Infantry and Troops of his most Christian Majesty, to those English Troops actually in the Fort of Necessity, which was built on the Lands of the King's Dominions, July* 3, *at eight o'clock at night,* 1754, *viz:*

As our intentions have never been to trouble the peace and good harmony which reigns between the two princes in amity, but only to revenge the assassination which has been done on our officers, bearers of a citation, as also on their escort, as also to hinder any establishment on the lands of the domain of the king my master: Upon these considerations we are willing to grant favour to all the English who are in the said fort, upon the conditions hereafter mentioned.

Article 1. We grant to the English commander to retire with all his garrison, to return peaceably to his own country, and promise to hinder his receiving insult from us French; and to restrain, as much as shall be in our power, the Indians that are with us.

2. It shall be permitted him to go out and carry with him all that belongs to him, except the artillery, which we reserve to ourselves.

3. That we will allow them the honours of war, that they march out drum-beating, with a swivel gun, being willing to shew them that we treat them as friends.

4. That, as soon as the articles are signed by the one part and the other, they strike the English colours.

5. That to-morrow, at break of day, a detachment of French shall go to make the garrison file off, and take possession of the fort.

6. And as the English have few oxen or horses, they are free to hide their effects, and come and search for them when they have met with their horses; and that they may, for this end, have guardians in what number they please, upon condition they will give their word of honour not to work upon any building in this place, or any part this side of the mountain, during a year, to be accounted from this day.

7. And as the English have in their power an officer, two cadets, and most of the prisoners made in the assassination of the Sieur de Jumonville, that they promise to send them back with safeguard to the fort du Gerne, situated on the Fine River. And for surety of this article, as well as this treaty, Mr. Jacob Vambram and Robert Stobo, both captains, shall be put as hostages till the arrival of the Canadians and French above mentioned.

We oblige ourselves on our side to give an escort to return in safety these two officers, who promise us our French in two months and half at furthest: a duplicate being made at one of the posts of our blockade the day above.

COULON VILLIER.

The capitulation was written in French, and Washington was not aware that the death of Jumonville had been characterized in it as an assassination, not being acquainted with that language. The French afterwards complained of it as a violation of a flag of truce, but the English sustained Washington in his conduct to the French party as apparently hostile. Coulon Villier we have already met with in the sad affair at Mines in 1747, where Noble was slain. He is said to have been brother of Jumonville.

President Lawrence, in writing to the lords of trade, 1 Aug., thanks them for sending out a Chief justice. Adverting to the French inhabitants, he speaks of their obstinacy, treachery, partiality to their own countrymen, and ingratitude for the favour and protection they have received. The lenity and mildness shewn them has not had the least good effect: on the contrary they have laid aside all thoughts of taking the oath of allegiance, and go in great numbers to Beauséjour, to work for the French. Many of them who wished to settle on the North side of the bay of Fundy, pretended they could not get work among the English. He offered to pay them to work on the road to Chibbenacadie, but they never came. For a long time they had not brought anything to market among the English, but carried everything to the French and Indians, whom they had always assisted with provisions, quarters and intelligence. He thinks "that it would be much better, if" "they refuse the oaths, that they were away." Cobequid he represents as most disaffected, and being a rendezvous for hostile Indians. He now dismantled the fort at Mines, (Grand pré), and sent the garrison to Piziquid. The Indians at this time were tranquil. The Boston vessels trade with the French in the bay of Fundy, supplying them with pitch, tar, and "all sorts of enumerated commodities," for which they have given bond to deliver at an English port, and allege that the bonds cannot be prosecuted, as these ports, though held by the French troops, are actually English territory.

The French had now at Beauséjour a fort of five bastions, with 32 small cannon mounted, and one mortar. They had also eight 18-pounders, not yet mounted. The garrison con-

sisted of six officers and sixty men, regulars. The fort was built of earth, faced with stone to the height of the ditch, and the ditch was palissaded. At St. John they had only a small fort, with three bad, old cannon, no gunners, and only an officer and sixteen men. The Indians on St. John river amounted to about one hundred and sixty men. At bay Verte four hundred Indians were, and it was estimated that the French could assemble, within forty-eight hours, about fourteen or fifteen hundred men from the different districts of Beauséjour, Baie Verte, St. John's island, Chipoudy, Petitcodiac, Memramcook, Gedaique, (Shediack), Ramsheik, &c.

A French shallop from Cape Breton brought to Halifax the following persons, with their families:—Paul Boutin, Julian Bourneuf, Charles Boutin, François Lucas, Sebastien Bourneuf, Joseph Gedri, Pierre Gedri, Pierre Erio, Claude Erot. They amounted to 25 in all. They stated that they could not find subsistence there, and having taken the oath of allegiance, were sent in August to Lunenburg as settlers.

We find this season copies of letters written by Lawrence to colonel Josᵃ. Martin, and to messrs. Haynes, Vanhorn and Livingston, of New York, who seem to have been seeking grants of land in Nova Scotia, explaining the terms, &c. He tells them that the grant at Lawrencetown was a new and unusual one, as no one before had received more than 350 or 400 acres—recommends the lands at La Hève, as approved of by all the gentlemen from New York,—also he states that there were no sort of fees attending either the passing of grants or registering them, nor even of survey or division into lots.—In the case of alienations, indeed a small fee is paid to the register, but that is all. He wrote them again 25 October, sending them plans, &c. His letters are most courteous and obliging, and shew a great desire to forward their views.

While the conduct of the French at Beauséjour, and their encroachments on the Ohio, were gradually bringing about an open war between the two crowns, it entered into the mind of a French gentleman who held some semi-military position under Vergor in the French fort, to open a secret correspondence with captain George Scott, who commanded the English

fort Lawrence. This intercourse was continued during the time of capt. Hussey, who succeeded Scott, and did not terminate until the fall of Beauséjour. The name of the correspondent was Pichon, altho' he also calls himself (Thomas) Tyrrell. He was apparently in the confidence of de Loutre, many of whose letters and papers he copied, and enclosed the copies to the English officers. Pichon, after the place fell, came to Halifax. He afterwards published an excellent work in 1760, on the islands of cape Breton and St. John. which appeared in both languages, and gives much information on the natural history and geography of those provinces. He had been before employed under count Raymond, at Louisbourg, whom he blames exceedingly. The president, Lawrence, was cognizant of this affair, and Pichon was paid for his services from time to time. The first thing that seems to have reference to it, is a letter from Lawrence to capt. Scott, dated Halifax, 2 Feb'y., 1754, in which, after warm thanks for his merits in command of Chignecto, he lets him know that he cannot have the leave of absence he wished for, he then says: "I am not ill satis-
" fied with what you say upon the situation of affairs beyond
" the Boyne, and I propose to write you an explicit answer to
" all the particulars in yours by the first opportunity, after
" receiving from the father of the lady with the handsome
" hand such accounts as I have wrote for, and am in daily
" expectation of. In the mean time carry your cup even, giv-
" ing no interruption to the persons passing or re-passing
" through Denmark: on the contrary continue rather to gain
' everybody than disgust anybody; for whatever measures it
" may be necessary to take in that business hereafter, the pre-
" sent part to be acted is a generous one, which may blow up
" those walls that you say are already lighted. Should they
" break out into a blaze, something may be picked up by the
" light of them; or if that should not succeed to the wishes of
" the Foggy Island, some other projects may perhaps take
" place. That old Hand you mention should be encouraged.
" Your friends (who have much confidence in your discretion)
" will allow the Corrianders. Remember, however, the people
" of Denmark are thrifty, and expect their penny worth for

"their penny." Substitute the Missiguash for the Boyne—British territory for Denmark, and most part of this passage will become intelligible. The letters transmitted by Pichon unveil the whole machinery of de Loutre's diplomacy. Daudin, who was priest at Annapolis, was one of his agents, and kept him informed of all the English were doing—of their expected new settlers—their intention to take post at Shubenacadie, and thus hem in the Acadians, who, he says, would thus be prisoners and slaves—of their training the settlers of Lunenburg to become rangers, to destroy the Indians. In his letter of 1 August, he says the Indians should be set to work at Shubenacadie to destroy the English attempts to settle there. Chauvreulx and himself are united, but Desenclaves is a friend to the English.

In September, the people of Piziquid were busily engaged in bringing in wood for the use of the garrison, but Daudin came over from Annapolis to that place, and they at once ceased to bring in any, as was believed at his persuasion, Capt. Murray, who commanded at Fort Edward, issued orders on this subject, on which a written remonstrance was given to him, signed by 86 French inhabitants, in which they state that the oath of allegiance does not oblige them to furnish wood for the garrison. Daudin was not content with this, but immediately went to the Fort, and told Murray to his face, that had he been present the inhabitants should not have laid in one stick of wood, or have given assistance towards repairing the Fort. At this time Daudin was alarmed at his situation. He tells le Loutre that detachments of military are in constant motion, and wishes for some of the other's Indians to force the English to keep within their fort. He fears that his letters were stopped and read at Halifax, as he cannot otherwise account for Lawrence's indignation against him. He also says I am betrayed by a storekeeper of M. Mauger, *(magasinier.)* Capt. Murray was then required to order Daudin, and six Acadians named, to repair immediately to Halifax, and if they were not on their way within twenty-four hours, to take them prisoners, and send them with a party of at least sixty men. He is further to issue an order to the inhabitants to

bring in the wood requisite, with a menace of military execution on disobedience—to begin with burning down those houses next the fort, and to proceed with all the disobedient in the same manner. Murray says that Daudin came to the fort to pay him a visit, but as his insolence had been so great he refused to see him, lest he might have been provoked to do, or say something he should afterwards be sorry for. Daudin then went down to Mr. Mauger's store, where he ran on in a most insolent and treasonable manner, saying the bitterest things against the government and president Lawrence. This Mr. Deschamps related to Murray. Daudin went on another day, and sent Deschamps to the commandant to beg an interview.' This was granted, and Daudin then stated that 300 Indians were at hand, ready to kill anybody sent as government courier, and that the inhabitants were 3000 in number; that they all had hatchets, if not other arms; that they were now deliberating about mischief against the English, in a high state of irritation against the government and colonel Lawrence. Deschamps acted as interpreter, and Murray had his officers present. Murray was obliged to make Daudin, and four of the inhabitants, prisoners, as they disputed and disregarded his order to go to Halifax, and he sent them to Halifax with a strong party, under a captain and two subalterns. On the examination of the four French Acadians before the council, it appears that Daudin's statements about the people assembling in great numbers, and the coming of the Indians, had been without foundation. Daudin was then interrogated, when he denied the language imputed to him, or modified it in an equivocating way. The council reprimanded him severely, and told him they were resolved to remove him out of the country, and they dismissed the four *habitans* with a reprimand. There can be no doubt, from Daudin's own letters, that he was a zealous and active agent of disaffection among the French Acadians, and that he sought to create grievances. In fact he tells de Loutre (5 Aug., 1754) that the information he sends him ought to assure him that he "had not brought" "from France a man of straw."

Early in October, six French Acadian families, most of them

having been possessors of land at Pisiquid, who had deserted their lands and gone to cape Breton, left that island, with permission of the governor of Loulsbourg, finding they could not subsist there, and returned to Nova Scotia. They now took the oath of allegiance, and were permitted to return to their old homes, and a winter's provisions given to them.

On monday, 14 Oct'r., Jonathan Belcher, the newly appointed Chief Justice of the province, was (by H. M. mandamus) sworn in as a member of the council; after which, the council adjourned to the court house, where, after proclamation made for silence, the king's commission, appointing Charles Lawrence, lieutenant governor, was read in public. He was sworn in, and took the chair. The council addressed him in congratulation, and he made a suitable reply. A commission by letters patent for the chief justice was prepared, and on the 21 October, (monday), it was read in council, and the chief justice took the usual oaths and oath of office. On the first day of Michaelmas term, chief justice Belcher walked in a procession from the governor's house to the Pontac, a tavern. He was accompanied by the lieutenant governor, Lawrence, the members of the council, and the gentlemen of the bar in their robes. They were preceded by the provost marshal, the judge's tipstaff, and other civil officers. At the long room of the Pontac, an elegant breakfast was provided. The chief justice in his scarlet robe was there received and complimented in the 'politest manner' by a great number of gentlemen and ladies and officers of the army. Breakfast being over, they proceeded, with the commission carried before them, to the church, (St. Paul's), where the reverend Mr. Breynton preached from this text: "I am one of them that are peace-" "able and faithful in Israel." A suitable anthem was sung. After this they proceeded to the court house, handsomely fitted up for the occasion. The chief justice took his seat under a canopy, with the lieutenant governor on his right hand. The clerk of the crown then presented the commission to Mr. Belcher, which he returned. Proclamation for silence was made. Belcher gave some directions for the conduct of practitioners. The grand jury were sworn, and the chief justice

delivered his charge to them. After this the court adjourned, and *his honor* the chief justice, accompanied and attended as before, went back to the governor's house.—Such was the first opening of the Supreme Court of Nova Scotia. A few days after the chief justice went up in his robes of office, attended by the bar, the grand jury, and the officers of his court, and addressed the lieutenant governor in his own and their names, congratulating him on his appointment, to which he replied, assuring them of his support of the law, which he said was "the firm and solid basis of civil society, the guardian of" "liberty, the protector of the innocent, the terror of the" "guilty, and the scourge of the wicked."

The Eastern battery had now eight guns mounted, and a new battery on the North-west part of George's island had ten 24-pounders. At Lunenburg, five saw mills were put up on different streams, and enough timber cut to load several vessels. The autumn was the driest known in the country within living memory. The grain crops were plentiful, but some complaint was made as to other vegetable productions. On a very humble petition, in French, from nine of the inhabitants of Piziquid and Grand Pré, praying that Daudin might be liberated, in order to act as their priest, and engaging to supply the wood wanted for Fort Edward, the governor and council, 21 October, upon consideration that the inhabitants had returned to their duty, and M. Daudin had "made the" "highest submissions, recanted his former behavior, and pro-" "mised to comport himself for the future dutifully to the" "government," permitted him to return to his post. An ordinance of council passed to forbid the export of corn, that the Indians and French forts might not be supplied from this province; and the government vessels Ulysses, York and New Casco, sent to the out-forts with stores, had orders to cruise in the bay of Fundy and elsewhere, and seize vessels violating this law.

Capt. John Rous was now made a member of H. M. council. Many of the Acadian refugees at Beauséjour were dissatisfied with their condition, and 83 of them united in a memorial to the governor at Quebec, for leave to return to their lands in

the English territories, and sent Olivier Landry and Paul Douaron with it as their delegates. De Loutre was very angry at this, and not only wrote to counteract their wishes, but preached severely against them as criminals. De Loutre was anxious that the Indians, whom he had assembled at *baie Verte*, should carry on their warfare against the English; but the French officers of the fort at Beauséjour, though they had no objection to the Indian war, were extremely unwilling that it should be carried on at or near Chignecto, as they and the English were living almost within cannon range of each other, and they dreaded the responsibilities or reprisals in which they might be entangled in that event. On the other hand, the Indians supposed that if they were to proceed hostilely, they had a right to make war everywhere, and found it more to their taste to attack the English, who were close at hand, than to approach with their tomahawks the more distant ground of Chebucto. De Loutre had other difficulties to encounter, for while the marquis du Quesne sanctioned, commended or suggested the line of conduct he pursued, the bishop of Quebec, his spiritual superior, blamed him very freely and candidly. The authority for this is derived from the copies of letters conveyed by M. Pichon to the English commanders. Captain Scott seems to have had confidence in the information thus obtained, and governor Lawrence trusted and acted on it, although he had received letters from capt. Hussey, in which that officer expressed a want of confidence in Pichon. The letters are numerous and long, and from their contents there can be little doubt that they are genuine. Pichon says the greater part of them were given or rather sold to him by the clerk employed by de Loutre. In his own letters he always calls de Loutre by the soubriquet of Moses. On the 28 Oct., 1754, in writing to captain Scott, Pichon says: "Cannot" "Mr. Mauger send me by the spring some woolen stuffs to" "make me a summer coat, a silk waistcoat of a different" "color from the coat, and not easily tarnished, with all the" "trimmings, as buttons and cords of the same color. It" "must be considered that I am large, and that our coats are" "wider than yours. The lining of the coat should be woolen,"

"of the same color, but of the finest fabric. That of the silk"
"waistcoat should be white and strong. All to be sent to"
"Mejagousche. I will make an exchange, or pay in gold."
"*Apropos* as to gold, I dare not say that I have *guineas.*"
"They would ask where I got them, or perhaps embarrass"
"me." Pichon recommends that the abbé Maillard should be appointed in the place of Daudin, and that he would bring back the Indians to the English interest. In M. du Quesne's letters of 15 October, he thanks de Loutre for his zeal and his news, and says: "Your policy is excellent, to threaten the"
"English with your Indians, whose attacks will increase"
"their fears." He wishes Vergor and de Loutre to find a plausible pretext for the Indians to attack the English vigorously. He says he has frightened the Acadian delegates with his dungeons—that they promised obedience to de Loutre. He is averse to any peace between the Indians and the English, no matter what may be the terms, believing that Canada cannot be safe. He considers the Indians, Abenakis, Malecites and Micmacs, the main support of his colony, and they must be kept in a state of hatred and vengeance. *The actual condition of Canada requires that they should strike without delay, provided that it should not appear to be by his order, as he had precise orders to remain on the defensive.* The bishop of Quebec wrote to de Loutre thus: "There you are, my dear"
"sir, in the embarrassment which I foresaw, and told you of"
"beforehand. Those refugees could not escape misery,"
"sooner or later, and must throw the blame of their suffer-"
"ings on yourself. It will be the same with those in the"
"island of St. John, when war breaks out. They will be at"
"the mercy of the English, and will throw all the fault upon"
"you. The government were willing to facilitate their deser-"
"tion from their lands, but this is not the concern of the"
"clergy. My opinion was that we should not say anything"
"to persuade them to this course, or to dissuade them from it."
"I have long since pointed out to you, that a priest ought"
"not to meddle in temporal affairs, and that if he did so, he"
"would create enemies, and make his people discontented."
The bishop approves of the terms following to be demanded:

1. Freedom of religion. Priests not to be subjected to the governor's approbation; and that the bishop (of Quebec) should make a visitation in Acadie at least every five years. 2. Neutrality and exemption from acting as pilots. 3. Liberty to withdraw from British dominion whensoever they pleased. He goes on to condemn the conduct of de Loutre in refusing the sacraments, threatening the people with the loss of their priests and the hostility of the Indians. While he wishes the Acadians to abandon the lands they hold within the English dominions, he cannot say that they may not conscientiously return to their farms. The question is one he should find difficult to decide, and yet de Loutre has given a public judgment on it.

During this year, gen'l William Shirley, the governor of Massachusetts, entered into a correspondence with Sir Thomas Robinson, secretary of state, with a view to the reduction of the French posts at Beauséjour and the river St. John. Arrangements were made with lieut. governor Lawrence for this purpose, and lieut. colonel Monckton and capt. Scott were sent to New England. Monckton was ordered to consult with general Shirley, how two thousand men might be raised with the greatest privacy and despatch, who were early in the spring to be employed under Monckton's command for the reduction of fort Beauséjour, and the removal of the French from the river St. John. Monckton was instructed by lieutenant governor Lawrence to provide twelve 18-pound guns, with their appurtenances,—ammunition to the extent of 150 barrels powder, tents, small arms, ammunition, flints, &c., harnesses for fifty horses, two hundred bill hooks, five hundred pickaxes, five hundred iron shod shovels, and fifty wheelbarrows. Monckton had a letter of unlimited credit on Apthorp and Hancock, and if he failed to procure what he wanted at Boston, he was to apply to the governor of New York for assistance. Unless countermanded, he is in the beginning of March to hire transports, proceed to Chignecto, and endeavor to capture the fort of Beauséjour, and the post on *Baie Verte*, at *Gaspereau*. He is to consult in all things with governor Shirley. In December, de Loutre, having obtained a power of attorney from

M. de la Vallière, then a captain in the garrison of Louisbourg, who claimed to be seigneur of Beaubassin, extending ten leagues in all directions from the *isle de Vallière*, which was opposite fort Lawrence, as a central point, made a circuit to Memramcoupk, Petcoudiak and Chipoudi, and gave deeds of land to the inhabitants, on such conditions as might suit his views. (At this time, M. de Belleisle, a very good man, a descendant of la Tour, was settled on the river St. John, probably Alexandre le Borgne, born in 1679.) Drucourt at this time was commandant at Louisbourg. One Ducoudrai, who could play the violin and teach dancing, and whose wife kept a *cabaret* at Louisbourg, spent this summer and autumn at New York, being, as Pichon supposed, sent there to watch the proceedings of colonels Monckton and Scott. He had been in the mounted police (marêchaussée) in old France. Everything had been so tranquil in Nova Scotia this year, that one hundred German families at Lunenburg had gone out to settle on their country lots, and some considerable merchants of New York had proposed to settle a township on the LaHève river.

At this time the population of Quebec was	8000
Montreal,	4000
Three rivers and the forges,	800
Rural districts,	42,200
Total inhabitants of Canada,	55,000

Of the French priests in this province, M. le Maire had become imbecile. M. Jean Baptiste des Enclaves, who belonged originally to the diocese of Limoges, in France, came to Canada in 1728. He was parish priest at Annapolis Royal from June, 1742, to the early part of 1754, when he retired to cape Sable, and not long after went to France, being worn down by age and labor. [*See* 10 *N. York Documents, p.* 107. *Pichon's letters, 23 September,* 1754. *2d. vol. Register Church at Annapolis,* for inspection of which I am indebted to the politeness of the Vicar General, Very reverend Dr. Hannan.] Antoine Simon Maillard was sent by the society of Foreign Missions of Paris to Canada, about the year 1734, and went as Indian missionary to Nova Scotia and Cape Breton.

He was afterwards appointed Vicar general of Louisbourg, but on its fall in 1745, retired into the woods, attending the few Acadian and Indian villages between that and Miramichi. In 1747 he was at the island of St. John, trying to get the Indians to go to *Isle Royale*, (Cape Breton), where they would have an opportunity of attacking six English houses erected outside the town. 20 Feb'y., 1748, he writes to Quebec, that he expects to send Indians to *Isle Royale* to harrass the English. In 1759 he made his peace with the English, and on the invitation of the governor took up his abode at Halifax, with a salary or pension of £200 a year, using his influence to quiet the Micmacs. He died there some time after, (1762), and was buried with the greatest honors. The Rev. Thomas Wood, an English church missionary, attended his death bed—read to him, at his own request, the prayers for the dying from the church prayer book, and at his funeral read the English church burial service in the French language, in presence of the chief inhabitants of Halifax and a large number of French Acadians and Micmacs, who attended. [10 *N. York Doc's.*, *pp.* 17, *note* 149, 156, 165. *Paris mss. Akin's Sketch of Church of England.*]

CHAPTER XIX.

1755. In the beginning of this year, 1755, an apparent calm existed in Acadie. Monckton and Scott had been sent with with full powers to governor Shirley to prepare the expedition against the French fort at Beauséjour. Shirley managed the whole affair with the most perfect secrecy and the most admirable system. He obtained an early authority from Sir Thos. Robinson, secretary of state, to justify his proceedings, and also got the fullest approbation of general Braddock, the commander in chief. Meanwhile, captain Hussey, at Fort Lawrence, had a correspondence and conferences with some of the Indians, and with their ruler, the abbé de Loutre. This resulted in a chief, named Algimou, and one Paul Laurent, an Indian captain, receiving a letter from Hussey, and proceeding towards Halifax, with a view to making a treaty of peace. François Arsenault, an Acadian, accompanied them, as interpreter. They left Beauséjour 24 January. The priest Manach had been previously sent to Cobequid with a party of Indians, to intercept any courier with letters from the English governor. He contrived to detain the chief, Algimou. Paul Laurent went on to Halifax, and was brought before the council by governor Lawrence on 12 Feb'y. He stated that the chief had fallen sick at Cobequid; and not being able to proceed on his journey, had sent him with the proposals the Indians had to make, and then demanded the same territory which de Loutre had asked for in the previous year, viz., all the Eastern part of the peninsula, including the fort of Chignecto, &c. On the following day, a written reply was given to

Laurent, declining to treat for peace, unless the chiefs of the tribes should come in person to negociate.

Lawrence at this time, on the advice of Mr. Brewse, the engineer, determined to put up three batteries on the beach in front of the town of Halifax. One, now called the Lumber Yard,—another where the Queen's wharf is now built,—a third at the present Ordnance wharf;—each to be mounted with ten 24-pounders. In February, three deserters were returned to captain Hussey by Vergor,—two belonged to Gorham's rangers, and the third was Mr. Newton's servant. These men had robbed their officers, and escaped as far as Remsheg. The schooner *la Marguerite*, capt. Lesenne, was sent from Louisbourg in March, laden with provisions, cannon and ball, for the French post at the river St. John. This vessel was captured at port Latour by the Vulture, sloop of war, captain Kenzie. She was brought into Halifax, and tried and condemned there by the Vice Admiralty court. The chevalier de Drucour wrote a long letter to colonel Lawrence on this subject, praying explanations. In the reply, Lawrence tells him that the captains of the English navy have always their instructions from the English government, and are in no manner under the orders of the provincial governor, and that the vessel was tried and condemned for a contraband trading.

Shirley, after remarking on the encroachments of the French upon the English colonies on this continent, says that they had long marked out for themselves a large empire on the back of it, and comprehending the country between the Apalachian mountains and the Pacific ocean. He then mentions orders of 5 July, 1754, from Sir Thomas Robinson to himself and colonel Lawrence, to attack the French forts in Nova Scotia, and says he is raising two thousand men, to be landed in the bay of Fundy in the first week of April, for that purpose. [*Letter to governor Morris, dated Boston, N. E., Feb'y.* 25, 1755.]

On the 20 April, 1800 men, raised in New England by Shirley for the expedition to Beauséjour, were embarked, and remained on board the transports at Boston, waiting for the arrival of 2000 stand of arms from England, which, having

a passage of ten weeks, did not come there until the 18 May. On 17 May, colonel Monckton went on board. They waited for a wind, and finally sailed on 23 May, at 6, A. M. They had at the time they left, very nearly the complement of 2000 men. Shirley had appointed captain Winslow, late of Philipps' regiment, and captain Scott, to be lieutenant colonels on this expedition, under the general command of Mr. Monckton. At the same time the English were sending an expedition to Crown point. Shirley was to command two regiments, destined to attack Niagara; and general Braddock, who had recently arrived from England as commander-in-chief, was to attack the French forts on the Ohio, with a body of British troops, and the military of Virginia and other Southern colonies. The population of the British colonies in North America at this period were supposed to exceed one million; while France had but about fifty thousand colonists on this continent. In a military point of view, however, the two crowns were more evenly balanced in power. The situation of Canada, surrounded in one direction by seas of fresh water and almost trackless forests of immense extent, and on the other being more than half the year unapproachable from the icy barriers that shut off a navigation difficult enough in summer, made that province almost impregnable. On the other hand, the frontier settlements of New England, New York and Pennsylvania, were open and subject to constant attack by the Indian bands, with whom no certain and assured peace could be made, and who were, by presents and persuasion, always ready to raise the hatchet, in order to strike the English colonists. Whatever prisoners or scalps they could bring to Montreal were in a paying market. Had the military resources and the finances of the provinces been under the control, as Nicholson had designed, of one executive, it is hardly possible that the handful of French could have kept our people under such incessant alarm, and inflicted every year so many miseries upon them. The first siege of Louisbourg gave convincing proof of their warlike spirit and capacity. As to naval power, France was said, in 1755, to have possessed ninety-eight ships of war, of which 28 were vessels of 70 guns and upwards;

while a list of the English navy at the same date sets it down at fifty-five ships, of which 33 were of 70 guns and upwards. The French, then, appear to have had equal, if not greater sea forces, and their armies were far more numerous than ours.

The French government had been busily augmenting their naval forces, which were known to be designed to operate in America. In India, America, and everywhere, they pursued hostile courses, without open and declared war against England, and tried to amuse the British ministry with pacific professions. The commissioners to settle the boundaries had separated in 1753, without effecting any arrangement; and France was in Acadie, on the Ohio, and elsewhere, taking firm foothold on territories, her claims to which were purely imaginary. The English government was not so wholly inattentive to the interests of the nation as to be deceived by the fair words of the diplomatists of Paris. Sir Thomas Robinson, the secretary of state, had, by his letter of 10 Feb'y. 1755, given authority to Sir William Shirley to raise 2000 men in New England, for the expedition under colonel Monckton; and although in the opening of the session of parliament, 14 Nov., 1754, no intimation of an approaching rupture with France was given in the king's speech, yet, in the latter part of March, 1755, a royal message called on the house of commons to provide for an augmentation of the land and sea forces of the kingdom, and to protect its possessions in America, which was responded to by a grant of a million pounds sterling, and other suitable measures; and at the close of the session, on April 25, in the royal speech allusion was made to the encroachments of France in America, in manly and decisive language. [*Smollett's History, c.* 10.]

The assembly of Massachusetts passed a law, prohibiting all correspondence with the French at Louisbourg. To aid the expedition under Monckton, captain Rous was sent to the bay of Fundy with some frigates. [*London Magazine for* 1759, *pp.* 463, 464.] In the following account of the siege of Beauséjour, we have not any English account, official or private, to help us, except some remarks of gov'r. Lawrence, in a letter to the secretary of state, date 28 June. The "*Mémoires sur les*"

"*affaires du Canada depuis* 1749 *jusqu'à* 1760. *Quebec*, 1838," "*pp.* 43, 44," give some particulars, but the main parts are derived from the mss. journal of Pichon, alias Tirel, which, with his letters, &c., form one of the volumes bound up and preserved by the Record commissioner of Nova Scotia. G. B. Faribault, in his catalogue, printed at Quebec, 1837, mentions Pychon's book, called Lettres and Mémoires, &c., Cap Bréton, &c., published London, 1760, Paris, 1761, by Thomas Pichon, and quotes from the *Biographie Universelle*, to the effect that Pichon retired in 1758 to London, where he remained until his death in 1781, enjoying the society of many of the *savants*. He had studied medicine, been secretary to a judge, inspector of military hospitals in Bohemia in 1743, inspector of forage in Alsace in 1745, and subsequently secretary to count Raymond, the governor of Louisbourg, 1751 to 1753, who gave him a very favorable certificate, dated 10 October, 1753. He latterly signed his name '*Thos. Tyrell.*'

Monckton's squadron comprized three frigates, one snow, and many schooners and boats, in all over 36 sail. They arrived at Maringouin cove, said to be two leagues from Beauséjour. An inhabitant of Port Royal having observed this flotilla, and counted their numbers, informed M. Vergor of the occurrence at 2, A. M., 2 June, 1755, monday. The wind favoring them, they approached the Missiguash, where they landed their men in front of fort Lawrence, at 6, P. M., the same day. On tuesday, 3 June, the English troops were to be seen encamped on the glacis of Fort Lawrence, with their tents, forming two lines, where they exercised, and were firing blank cartridges. Vergor having no longer room to doubt the intentions of the English, sent orders to all the Acadians capable of bearing arms, to come in without delay to the fort of Beauséjour. The chief inhabited places were: the three rivers of Memramcook, Chipoudy and Petitcoudiac, then Beauséjour, the lake of Oueskak, Pont à Buot, la Coupe, and la baie Verte. All the men in those places, if collected together, might amount to 1200 or 1500. They were, truly, but little inured to war, and with but small inclination to encounter it,—more especially this was the case with the refugees who had everything

to fear from the English, who had often threatened them with severe treatment if found in arms against them. The first of these who came forward told Vergor they were willing to bear arms for the French, but for their security they must have positive orders to arm and defend the fort, under pain of serious punishment in case of disobedience. This the commandant complied with, sending orders to this effect to all the captains of militia. After this the refugees placed their wives and children in places they deemed secure in the woods and far inland, and then came to do duty at the Fort, where Vergor gave them hopes of prompt success, and even assured them that the English would not be able to take his fort.

M. Jacan de Piedmont, an artillery officer, who was acting engineer at Beauséjour, had urged on the commandant the imperative necessity of finishing the defences of the fort, but the abbé le Loutre kept all the working hands at the aboiteau, for which he had obtained 50,000 livres ; and although apprehensions of attack existed, little or nothing had been done to prepare to repel it. Now that the blow was struck, Vergor set the inhabitants and soldiers to work to put the place in order. He got into the fort some provisions that had been stored outside. He detailed a small guard, to be kept on the isle *de la Vallière*, which is really but a thicket or grove, lying between the two forts, where this guard had to sleep without shelter. He wrote to Drucour, the governor of Louisbourg, asking for aid in his defence. He also despatched a courier with information to the marquis du Quesne, and ordered the vessels that were at *baie Verte* to go back to Canada. He sent a message to captain de Villeray, who commanded the fort of Gaspereaux, in *baie Verte*, to be on his guard, and directed Baralon, a cadet or ensign, who was in charge of a small fort called *pont à Buot*, to burn it down.

Fort Beauséjour, built in the form of a pentagon, was situated upon a small rising ground, where it commanded the bay of Chignecto, from which it was separated by marshy grounds. It was but scarcely half a league distant from Fort Lawrence, (about 1 1-4 miles), one league (2 1-2 miles) from *pont à Buot*, and five leagues (about thirteen miles) from *baie Verte*. The

ditches had only been begun. The works had languished for want of hands. The fortress was about 260 or 280 feet in width. Its garrison consisted of one hundred and fifty men of the troops of the marine, commanded by fourteen officers from Canada and Louisbourg. It had twenty-one guns, and a mortar of 16 inches, mounted, and was abundantly provided with ammunition and provisions. On Wednesday, the 4 June, at 5, A. M., the English troops came out of their encampment, and marched on the road to Buot. Some Acadians sent there had raised an entrenchment, and were supported by a few volunteers. This party, the English state, were 450 in number. The English, who had three field pieces, six-pounders, with them, advanced proudly at 2 o'clock, to lay down their bridge, in order to pass the stream of the Missiguash. The Acadians fired on them, and the English returned the fire from their guns and their musketry. Some Indians, who were along with the Acadians, ran away, and thus created a panic, men and officers fleeing without order. By the English statement, there was a block-house there on the French side of the Missiguash, built to defend the passage of the river. The French and Indians, four hundred and fifty in number, were posted there. They had mounted cannon in the block-house, and thrown up a strong breastwork of timber for covering their men; and thus entrenched, made a stand for about an hour, but were forced by the British troops, with some loss, from their position, and retired, leaving the block-house and the pass of the river clear. The English then laid their bridge, crossed it quietly, and encamped at the *butte Amiraude*, (or Mirande), half a league distant from the fort of Beauséjour. On this, it was the opinion of Vergor and le Loutre that the church, the houses and out-buildings around the fort, and those at *pont à Buot*, should be burnt, and they were so destroyed immediately. In this encounter there were four men wounded of the French side. Two hours after, (4 o'clock), the English flag was flying at the *butte à Roger*. The English brought up their small vessels, armed with swivel guns, to the place where they crossed the stream, and the attempts of the besieged to fire on them from their cannon, and some mus-

ketry acting along the river shore, proved quite ineffectual. On thursday, the 5 June, the English were busied in establishing a bridge over the Missiguash, near the *butte à Mirande*, where they had encamped. Forty of them spread themselves on the open ground below the *butte à Roger*, to collect cattle to draw their guns over, and were fired on by the French. On friday, 6 June, some officers of the French garrison, among whom were Barallon and Montarville, cadets, and 12 or 15 *habitants*, among whom were the two Beausoleils, went into the plain to fire upon the English, who were bringing up one of their boats in the Missiguash, near to the *butte à la Mirande*, whence they had sent out three detachments to endeavor to surprise the small number of the French. The English boat had fired several shots from its swivel guns on the French party, who returned to the fort after some hours without having lost a man. The engineer Jacan de Piedmont had, by this time, constructed bomb-proof works on the bastions. In the evening, M. de Roüilly, who had 60 men with him, went out, but effected nothing. Saturday, 7 June, great exertions were used in the interior of the fort. The casks of lard, pease, flour, &c., were taken out of the casemates, in order that the inhabitants might be lodged therein. At 10, A. M., an English deserter, apparently a seaman, who seemed to be either weak minded or drunk, was brought in, and being unable to answer satisfactorily, was put in irons by the commandant. On Sunday, 8 June, an English party went to reconnoitre towards the *butte à Charles*. The French musquetry was used against them, but with no effect. A party of Indians this day captured an English officer, named Hay, who was returning at break of day from Fort Lawrence to the British encampment at the *butte à Mirande*. The Indians were disposed to put him to death, but Beausoleil prevented it. The French ransomed him from the hands of their savage allies—treated him with great politeness, and notified colonel Monckton of his capture. This day the garrison began to demolish the roofs of all the buildings in the fort, and went on with the work, which heavy rain had checked at noon. Hay's eyes had been bandaged before he got to the fort, and he had been stripped by

the Indians, so that the French officers had to supply him with linen and clothing. During dinner he told them that the English had about 2300 men, of whom 300 or 400 were regular troops, the rest being persons enlisted in New England,—that they had six 18-pounders and nine mortars, of different diameters. He asked and obtained leave to write to the general and to his wife. In one of these letters he mentioned his fear of being long detained. Barallon was selected to carry these letters, and having been well regaled, returned to Beauséjour. He reported that he had seen six 18-pounders and one mortar, on which Hay remarked that he had not seen all. At this time, Vergor was seeking everywhere for help. The Acadians were deserting him, openly stating that they did not wish to stay in the fort during the siege, as its contracted space would cause the destruction of them all by fire and by misery. He sent them orders upon orders. They often answered that he should have used them better when they were in his power. At last he addressed father Germain, the Jesuit missionary at the river St. John, and begged him to send him his people. Germain replied by stating that his post was equally in danger, and his Indians could not resolve to abandon it. Vergor wrote again to the commandant there to send them to him, but his request received no attention. On monday, the 10 June, the works were but slowly carried on, the weather being adverse. In the evening, fifteen men volunteered to go out. It was ascertained that the people from *baie Verte* were at the Lake, but had no disposition to come into the fort.

Tuesday, 10 June, the English sent a strong party to reconnoitre the ground for erecting their batteries, where they had a skirmish with their opponents. The works at the French fort were a little more earnestly advanced, the abbé le Loutre in his vest, and with his pipe in his mouth, urging on the *habitans*. Forty of the settlers at the Lake came in, and by their account it was feared that the English would go and carry off the oxen to draw their artillery. Some of the *habitans* of *baie Verte*, who are now at the Lake, declare that they have seen two vessels near cape Tourmentin. A great number of Indians were now expected by the French to come in aid of

their defence, and rumors of a French fleet expected were prevalent. The English still remained encamped near the *butte à Mirande*, and occasionally were seen on the *butte à Roger*. Wednesday, 11 June. The works of the fort advanced. The curtain had been strengthened and raised, in the middle of which was the gate which they had masked. At 10, A. M., a detachment of about 200 English came upon the rocks on this side of the *pere Charles*. At 4, P. M., twenty Indians and some *habitans* from *baie Verte*, came into the Fort, Thursday, 12 June. At 2, A. M., the *sieur de Vannes* left the fort with a party of about two hundred men, soldiers and Acadians, to try to surprise some of the English. He came back at 8, A. M., without having fired a shot or effected anything, and his men were quite dissatisfied with his conduct. At 3. P. M., news arrived of three French frigates, with troops on board, destined for baie Verte, being at Louisbourg. At 6, P. M., the English, who had made a road across the woods and ravines to transport their artillery as far as the *coteau Charles*, about 700 feet from the Fort, came to occupy the ground. Some Indians and about thirty French, under the command of the *sieur caput de Bailleul*, a brave officer, left the fort, and fired for some time, but supposing the enemy were weaker than they really were, being deceived by the woody screen that hid their number, he advanced too far, and received a severe wound. On this his party retired, covered partly by cannon from the fort.

Friday, 13 June. At break of day it was seen that the English were entrenching themselves upon and behind the rock beyond the house of St. Omer, on the side of *pere Charles*, nearest to Beauséjour, where they had appeared the evening before. From this place they began in the morning to fire bombs. A fragment of the 54th shell discharged wounded Jean Hugon, junr., in the head, who survived the injury but a few moments. The place known as *la butte à Charles* was parallel with the fort, and was the only spot from which it could be advantageously attacked. It is called also *coteau Charles*. The earth and fascines were ready, so the English worked there on the 12th and 13th at opening their trenches,

completing them so as to be safe from attack by the morning of the 13th, and erected their mortar battery, which replied to some cannon shot from the fort by sending above 50 bomb-shells into the works. It was reported in the evening that three guns had been heard at *baie Verte.* Vergor was led to hope that three frigates from Louisbourg, in which he expected twelve hundred regular troops, had now come to his assistance. In the afternoon of the same day forty Malecite Indians arrived at the Fort, who went through their war dance, and made every demonstration of their inclination to fight.

On Saturday, the 14 June, the English, in the morning, discharged thirty bombshells, which did not produce any remarkable damage in the fort. The French, in return, fired fifty cannon shot to disturb the work of the besiegers. Vergor, this day, received a reply to his request for help from the governor of Louisbourg. Drucourt's letter pointed out the impossibility of his sending succor to the fort, and stating that an English squadron was cruising in that direction, and came often in sight of Louisbourg. Vergor called his officers together, and, making them acquainted with the contents of the letter he had received, asked their opinion. They advised him to hold out as long as it was possible, carefully concealing this news from the Acadians. This reasonable precaution failed to be observed, and the bad news was speedily divulged, as much, it was said, by the indiscretion of some officers who disliked their situation under siege, as by Vergor's having allowed one of his domestics to be present at the meeting. Scandal said that the servant's wife, though ugly, possessed the art of pleasing the master, and the husband's impertinent manners, which Vergor did not check, gave confirmation to the rumor. The afternoon of this day was pretty quiet. Many of the Acadians escaped from the Fort, but seventeen of them were caught and brought back again. It was planned that Beausoleil and some Indians should make a sortie the next evening. The *habitans* seemed to be discouraged, and the works for defence proceeded but slowly. Sunday, 15 June. This morning the Acadians, alarmed by the discourse of some of the officers, came to Vergor and represented that they could no

longer remain in a fort so little capable of defence, and prayed leave to go out, which they might easily do, as the place was not invested, and was attacked on one side only. The English continued their work, without firing a shell, till 1, P. M., after which they threw in twenty, some of which were of 250 lb. weight. Two of that magnitude fell within the fort. Pierre Saunier, an inhabitant, was killed by a splinter from one. The main body of the caserne, the only one subsisting, was greatly shaken and much damaged. No bombshells were fired off during the night.

Monday, 16 June. This morning the besieged fired cannon at the English working parties, to which the besiegers replied with bombshells. At half-past 8, A. M., a shell of 250 lbs. fell on the casemate, which served for a prison. Mr. Hay, the English officer, who was a prisoner — Raimbault, an officer of the garrison — Ferment, an interpreter, and M. Billy, a clerk, were killed. Messrs. St. Laurent and Montarville were wounded and almost suffocated. This melancholy accident, and the noise and disturbance the bombshell had made in a place supposed to be especially safe, and directly opposite to the other casemate where M. Vergor, the two priests, and some of the officers were at the time, and which was till then supposed to be out of danger of bombshells, induced Vergor, le Loutre, and the officers of the garrison, to incline to surrender. Terror and inexperience united to produce this result, and but a few persons were opposed to giving up the place. M. Louis de Courville, who had been commissioned as a notary for *French Acadie*, by Bigot, 28 May, 1754, and acted also as secretary to Vergor, was employed to draw up conditions of surrender. M. de Vannes, the oldest of the lieutenants, a relation of Vergor, and who had commanded a sortie that proved useless, was sent with a letter from the commandant to Monckton, requesting a suspension of arms for forty-eight hours, to prepare and agree upon terms of capitulation. Monckton replied by stating the terms of surrender to which he was prepared to consent. It was in vain that some brave officers insisted on holding out longer. Le sieur Jacan de Piedmont, who, during the siege, had done everything in his power, was specially

zealous for the safety of the Acadians—to demand honorable and advantageous terms for them, and not to come to terms unless this was granted, but to stand yet on the defensive. M. abbé de la Loutre loudly proclaimed that he would rather bury himself in the fort than surrender it. M. de Vannes returned about noon, and some time after, Mr. Shirreff, an English officer, came to the fort from Mr. Monckton. Several messages were sent to Monckton, who stated that unless the place was delivered to him by 7, P. M., he would make use of his batteries and guns, and he would grant no more than he at first proposed. Finally, M. de Rouilly was sent to the English, and the capitulation was signed and exchanged. Monckton had good reasons to adhere to the terms he at first prescribed. All this day division reigned in the Fort. The officers of the garrison were busied in pillaging and drinking, and could hardly be got away to sign the terms of surrender. The soldiers saw this, but did not interfere. The Acadians were sent away, most of them laden with whatever effects they could carry off. At 7 in the evening the English entered the fort. and remained in battle array in the centre of the place. The French troops were drawn up near their *casernes*, and English parties were detached to the several bastions. M. le Loutre went out a little before the English came in. In the evening the officers supped with M. Vergor.

The terms of surrender agreed on were as follows: 1. The commandant, officers, staff and others, employed for the king, and the garrison of Beauséjour, shall go out with arms and baggage, drums beating. 2. The garrison shall be sent direct by sea to Louisbourg, at the expense of the king of Great Britain. 3. The garrison shall have provisions sufficient to last until they get to Louisbourg. 4. As to the Acadians,—as they were forced to bear arms under pain of death,—they shall be pardoned. 5. The garrison shall not bear arms in America for the space of six months. 6. The foregoing terms are granted on condition that the garrison shall surrender to the troops of Great Britain by 7, P. M., this afternoon.

(Signed) ROBERT MONCKTON.

At the camp before Beauséjour,
16 June, 1755.

The blow inflicted on le Loutre by this event must have been intensely severe. For many years his power and influence must have been growing in this region. He had the full confidence and entire support of the government of Quebec, from which quarter he derived constant supplies in the shape of powder, shot, clothing and provisions, which he distributed at his will among the refugee Acadians and Indians. His visits to France had filled his purse with large sums to build an aboiteau, and he had obtained the rank of an abbé *in partibus infidelium*, and the authority of Vicar general of the bishop of Quebec, in Acadie. By means of the latter office, most of the missionaries,—Daudin, Chauvreulx, père Germain, the Jesuit priest at the river St. John, Manach and others,—had become his agents in reducing the Acadians and Indians to the most abject submission. He managed, by his Indians, to intercept nearly all the correspondence of the Halifax governors with their outposts, and was generally believed to have caused the massacres of our out-settlers and the tragic murder of How. The French Canadian commandants at Beauséjour, St. John river, &c., and their officers, were most clearly subjected to his control, so that, in effect, he was for years the sole despot of this region, as far as French, Indian, or French Acadian influence extended. But as he had concentrated his resources in Chignecto, the fall of Beauséjour terminated his political career. The whirlwind of disappointed ambition which rent his soul we may faintly conceive but can hardly realize. Assuming that the letter in October, 1754, from the bishop of Quebec to de Loutre is genuine, of which I feel little doubt, the latter must now have felt the force of the good advice and prophetic warnings it contained. While the bishop explains the policy of the French government was to retain the Acadian refugees and induce them not to return to their former homes under British rule, he most distinctly points out that this matter is a temporal question, and is not within the scope of an ecclesiastic's duty. He advises a perfectly neutral line of conduct for his Vicar general, and expressly warns him of the evils that attend on a priest's meddling with temporal affairs. He deems it essential that it they returned under the

British flag, they should make strict bargains for the security of their priests and their worship; but he says: "Is it suit-" "able to refuse them the sacraments—to threaten them with" "having no priest, and with the hostility of the Indians. I" "wish they could conscientiously abandon the lands they" "held under English rule. Is it so clearly proved that their" "going back to them could not be justified, setting aside any" "peril of their being perverted from their faith? I think the" "question too embarrassing to be made the subject of a" "*mandement*," (episcopal charge or manifesto), "and I avow" "to you, that I should have much trouble to decide it, even" "in the tribunal of penitence."—"Meanwhile you have deci-" "ded publicly what you would ask me to adjudge now." The bishop speaks of the ruin of the refugees, sure to come sooner or later, and tells de Loutre they will blame him for it. A few short months had passed, and this expectation was literally fulfilled. We may find something to admire in the energy, activity and tenacity of purpose that de Loutre exhibited, but his habitual stirring up the malignant passions of his Indian catechumens—his leading them on to war under the ramparts of Annapolis—the deception he constantly practised, and the utter worldliness of his ambition and its objects, must convince us that his presence in the country was fraught with mischief, and was most especially injurious to the Acadians and Indians, whose friend and protector he pretended to be, while he incessantly struggled to prevent pacification. The priests under his control were urged to take part in his secular policy, both by his example and precepts. It must nevertheless be remembered that we have derived our information of this person from sources not friendly to priests of his church,—the French of that period being tinged with the philosophy of Voltaire.

Whether Vergor could have held out much longer, is a question for military readers. If the statements of contemporary writers can be trusted, some of his officers were little to be relied on. The sortie and sudden retreat of de Vannes, say little for his prowess. The pillage by officers after surrender was proposed, give us but a low conception of their character; and the presence of Pichon, with his pocket filled with English

guineas, and his desires strong for the success of the besiegers, could have had but a damaging effect on the harmony of the garrison. De Loutre's influence, though opposed to surrender, was an anomalous power, which must always tend to weaken the just authority of the commandant, and from the moment it was ascertained that the arrival of troops from Louisbourg in aid was improbable, the refugee Acadians in the Fort were beset with visions of the punishment for treason they had a claim to receive on the eventual capitulation. So many elements of discord and disaffection being at work in his little command, it is possible that Vergor did no more in coming to terms of surrender, than was reasonable and prudent. There is a difficulty in judging from the universality of slander and detraction, ever too prevalent, but, as far as I can judge, most especially rife in the middle of the 18th century, and particularly so in the affairs of Canada and the posts dependant. Bigot, Vergor, and others, may have been bad enough, but the mss. memoirs and letters that survive have not failed to paint their moral portraits in the blackest colors, insomuch that one is naturally tempted to think that envy and malice had overcharged the picture.

The supper which, Pichon says, Vergor gave to the officers on the evening of the surrender, 16 June, we may believe included the victors and the vanquished : one party, the English, proud of their success,—the others, perhaps, as well pleased with the booty they had realized out of the French king's stores and military chest. This supper reminds one of the banquet at Mines, in 1747, given by the French officers, then victors, to the surviving officers of colonel Noble's troops, after a much more tragic conflict, though one of less important bearing on the destinies of Nova Scotia than the fall of Beauséjour ; and it is just possible that there might have been some guests at this supper who had been present at the entertainment of eight years before. One remark may be allowed, that on both occasions, the urbanity, cheerfulness and polite character of French gentlemen must have been conspicuous ; and in this last case, that healthy turn of mind which enables them, under the most depressing circumstances, to efface the

wrinkles of over-anxious care, and to innocently enjoy the pleasures of social intercourse.

Tuesday, 17 June, the French troops evacuated the place before 11, A. M., and col. Scott took possession. The Acadians had previously withdrawn, and in the evening embarked in schooners. The English commissary wished to have a signed account of the munitions of war, provisions and merchandize, left in his charge; but the French storekeeper, (garde-magazin), replied to him, and to M. de Vergor, who was with him, that he would sign no account, for if he did, he would make himself responsible for what was deficient, and the robbery and pillage that had been carried on in the sight of the commandant, without any check put on it, in spite of his protestations, would fall upon him, and bring him into difficulties. So no more was said on the subject. It was observed that almost all the bales of goods, although placed under the care of centinels, had been opened, and extensively robbed, and in this the French had been more successful than the English. The French officers and their valets had made considerable packages. M. de Vergor and M. de Vannes had different *habitans* to work for them in this, who were of their kinsfolk; and the valet of Vergor, named St. Germain, had not been idle.—Monckton set up his tent this day near the only gate of the fort that was open.—Wednesday, 18 June. The English set up their flag in the fort, and fired off all their guns, after which they gave three *hurras*.

Monckton sent a detachment of 300 men to offer to captain Villeray, who commanded the party posted at the fort at Gaspereaux, *baie Verte*, the same terms that he had given the garrison of Beauséjour, which he accepted, and on the 18th colonel Winslow took possession; and on the 24th, the troops who had been in garrison at both forts sailed for Louisbourg, and arrived there on the 6 July. Meanwhile, Joseph Brossart, called Beausoleil, came in under a safe conduct to propose a peace with the Indians, praying pardon for himself. The pardon was granted him, subject to the approval of governor Lawrence. Jacob Maurice, who is said to be a kinsman of M. Vergor, came in also with some *habitans* of *baie Verte*, to make terms.

On the 20, 21 and 22 June, many of the inhabitants of the country came in and surrendered their arms. On the 22, (sunday), Vergor and de Vannes dined with colonel Monckton, and slept in the fort. The anniversary of the accession of king George the second was celebrated by the firing of cannon at both forts. Pichon says that he and M. Marsal were robbed of a thousand crowns, out of their trunks, which were in a locked-up cellar, guarded by a centinel, and all attempts to recover the money proved ineffectual. 25 June, news from Halifax was received at fort Beauséjour that two French frigates, the Alcide and the Lys, had been brought in there as prizes, having been captured by admiral Boscawen. Thursday, 26 June, the abbé de Guerne, the only priest who remained there, was introduced by Pichon to colonel Monckton, who received him politely.

After the departure of the French troops, Monckton ordered the Acadians to come into the fort. He offered them pardon, on condition of their taking the oath of allegiance. They brought in and gave up their arms, but would not take the oaths. Le Loutre had left them, after stating that he would sooner take his own life than yield; and finding that his opinion was overruled, he was afraid of falling into the hands of the English, and, disguising himself, left the fort, and made his way to the river St. John and thence to Quebec. There he met with but a cold reception, and bitter reproaches from his bishop. In August he embarked for France. The vessel was captured by the English, and de Loutre was sent as a prisoner to Elizabeth castle, in the island of Jersey, where he remained in confinement for eight years, until the peace of 1763 enabled him to go back to France. He had been originally sent to Canada, in 1737, by the Society of Foreign Missions at Paris, and is called Louis Joseph de la Loutre. [*N. Y. Doc's., v.* 10, *p.* 11, *note. Memoires sur le Canada, p.* 59.] The news of the surrender of Beauséjour, and the smaller fort on the river Gaspereaux, at *baie Verte*, reached governor Lawrence, at Halifax, on the 21st June. The French had their principal magazine for supplying the Acadians and Indians, at the *baie Verte* fort, and the victors found a great quantity of provisions

and stores of all kinds in both forts. At Beauséjour they had twenty-six cannon mounted, while the English had not yet mounted any guns except their mortar battery for throwing bombshells, so that they captured the place after scarcely four days' bombardment, losing of the besiegers twenty killed and about the same number wounded. Major Preble, of the irregulars, was slightly wounded in the shoulder. Ensign Tonge, of major-general Warburton's regiment, acting as sub-engineer, received a shot in his thigh as he was taking a survey of the ground for the trenches and batteries to be raised against the fort, and ensign Hay, of colonel Hopson's (40th.), was, as mentioned before, killed while prisoner. (Hay and the five French officers were at breakfast at the time.) As the English had not men enough to invest the fort, many of those who had been in it got away. On its surrender, there remained one hundred and fifty regulars, and about three hundred inhabitants, inclusive of several wounded, officers and men. The number of the French killed in the siege was not known to the conquerors; but as several lay half buried on the parade, they believed it was not trifling.

Monckton gave the fort Beauséjour a new name, calling it Fort Cumberland, (a name which was afterwards transferred to the township, and since to the present county of Cumberland.) This fort, Lawrence says, is an infinitely better one than fort Lawrence, and he directed Monckton to leave a garrison in it, and proceed to St. John's river, and reduce the French post there. Monckton gave great praise to the troops he commanded. Captain Rous, who commanded the naval part of the expedition, and Mr. Brewse, the chief engineer, were both praised by Lawrence.

As soon as the forts on the Isthmus were taken, capt. Rous sailed thence with three 20-gun ships and a sloop, to look into St. John's river, where, it was reported, that there were two French ships, of 36 guns each. He anchored off the mouth of the river, and sent his boats to reconnoitre. They found no ships there; but on their appearance, the French burst their cannon, blew up their magazine, burned everything they could belonging to the fort, and marched off. The next morning

the Indians invited captain Rous on shore—gave him the strongest assurances of their desire to make peace with the English, and stated that they had refused to assist the French.

About the end of June, governor Lawrence, writing to the lords of trade respecting the three batteries on the beach in front of the town of Halifax, which were begun 25 January, to hold each ten 24-pounders, says: "they are 12 feet high" "above high water mark, 246 feet in length, and 75 feet in" "breadth, each. These dimensions regard the ramparts." "The parapet raised on them is seven feet high. The mate-" "rials employed in the building consisted of 9500 logs, of 25" "feet long each, 1280 tons of which are squared. This tim-" "ber is framed hollow, and filled up with 25000 tons weight" "of gravel, stones, earth and sand. The workmanship and" "materials, when all will be completed, may amount to about" "£5,300." Fifteen guns were already mounted—in a few days the work would be ready for five more, and in a very short time the whole would be completed. Lawrence had received orders to augment the three regiments of regulars in the province to 1000 each. He says the 2000 provincial troops now in pay here, as they are engaged for a year, will, in the meantime, be more than equivalent to the augmentation; and if it cannot be done otherwise, he will try to enlist a sufficient number of them to fill up the regiments.

The two prizes, *Alcide* and *Lys*, had separated from the French squadron off the banks of Newfoundland, and fell in with part of vice admiral Boscawen's fleet, off cape Race, about the 8 June. After five hours' fighting with the Dunkirk, capt. Howe, afterwards lord Howe, and the Defiance, capt. Andrews, they were taken. The Alcide was a vessel of 64 guns and 480 men, commanded by M. Hocquart, *chevalier* of St. Louis. He had been taken in the Medea, in 1744, and in the Diamond, in 1747. The Lys was pierced for 64 guns, but mounting only 22, commanded by M. Lageril, having eight companies of land forces on board. The Dunkirk was said to have lost ninety men in this engagement. The chevalier de Rostaing, lieut. colonel of infantry, was killed. Godart d'Helincourt, *aide-de-camp*, captain of infantry—Dubois de Crancé, commis-

sary of war—messrs. Dumoulin, cadet Geoffroy, Aguitton, engineers in ordinary, were on board the Alcide, and made prisoners. The prizes and the prisoners were sent to Halifax harbor.

On the 6 May, the French fleet sailed from Brest, under Macnamara, an Irish gentleman. It comprized 25 ships of the line, besides frigates and transports ; and 3000 or 4000 regular troops were embarked, under baron Dieskau, a German, intended for Canada and Cape Breton. Macnamara returned to France with part of the fleet, while the rest got to Louisbourg under M. Bois de la Mothe, except the Alcide and Lys. It was about this time that the English man-of-war, the Mars, of 70 guns, was lost at the mouth of this harbor. The crew and guns were saved. The Mars rock still retains the vessel's name. [This summer the marquis du Quesne was succeeded in the government of Canada by Pierre François Rigaud marquis de Vaudreuil Cavagnal, third son of the late Philip de Vaudreuil, who died at Quebec. His commission was dated 1 January, and registered at Quebec 10 July, 1755. He had served in Canada under his father, and had also been a governor of Louisiana, and a navy captain.]

While victory attended the English by sea and land in this region, in another part of America they met a sad reverse. General Braddock had commenced to advance, 10 June, from fort Cumberland, at Wills' creek. His army was in two divisions. The first, under his own command, was of from 1300 to 1500 strong, with four howitzers, four 12-pounders, and thirteen artillery waggons ; and by the 9 July, (the day of the slaughter), had marched to within about seven miles of fort du Quesne, on the Monongahela. Colonel Dunbar commanded the rear division, having most of the provisions, stores, and heavy baggage with him. This last party were many miles behind. Beaujeux, the captain in charge of fort Duquesne, came out with a party of French and Indians, whose number has been variously stated from 300 to 1000, and they were posted behind the trees in a spot which the English had to pass by. The whole division had crossed the river Monongahela, when the vanguard, being suddenly and unexpectedly

attacked by shot from unseen foes, fell back, and panic spread among the whole of the English troops. Not listening to their officers, they fired away their ammunition recklessly, and then fled, leaving the guns, stores and baggage to the enemy. The sudden and unlooked-for appearance of enemies—the frightful war cry of the Indians—their strange figures, naked, and covered with the war paint in different colors, were calculated to intimidate the soldiers. The officers sacrificed themselves in vain. The general, after five horses were killed under him, was mortally wounded, surviving but four days. His two aide-de-camps, Orme and Morris, wounded. Major *George Washington*, extra aide-de-camp, "had two horses shot under him," "and his clothes shot through in several places, behaving" "the whole time with great courage and resolution." Sir Peter Halket was killed. In all, 26 English officers were killed, (of whom 7 were provincials), and 37 were wounded,—only 22 officers remaining unhurt; and of the men, about 600 were killed and wounded. Wm. Shirley, the general's secretary, was among the killed. Of the damage done to the French we only know that M. Beaujeux, their leader, (Leonard Daniel, ecuyer, sieur de Beaujeux, capitaine d'infanterie), was killed, and his place taken by M. Dumas. This melancholy result is attributed to the total absence of the usual precautions in passing through a closely wooded country, and Braddock is said to have been unwilling to take advice or listen to suggestions, and particularly to have entertained contempt for the militia of the provinces, and to have disgusted the Indian allies by haughtiness. Much of the stores and heavy articles were destroyed by Dunbar on his retreat to Philadelphia. I have felt it requisite to give an outline of the affair, as it influenced the minds of the British in all the provinces, and probably the alarm it created tended much to confirm the decision just arrived at in Nova Scotia, of expelling the French Acadians. The ruin of the expedition—the flight of a column, in which were the 44th. and 48th. regiments, some of the best troops of New York and Virginia, artillery, engineers, and a detachment of the seamen of the royal navy, with officers of the highest courage and character, spread a funereal gloom over all the

English colonies. Mr. Orme, aide-de-camp, was so badly wounded, that he could not use a pen, but a friend wrote, at his dictation, on 18 July, at Fort Cumberland, where a garrison of militia remained with the sick and wounded. His letter, containing the best account given of the affair, was copied and transmitted to all the governors of the provinces, the news of this battle reaching Halifax by the end of July.

It may not be amiss to notice here the liberal grants of parliament for the settlement of Nova Scotia, in the first seven years of Halifax :—

In 1749,	£40,000	0	0
1750,	57,582	19	3½
1751,	53,927	14	4
1752,	61,492	19	4½
1753,	94,615	12	4
1754,	58,447	2	0
1755,	49,418	7	8
	£415,484	14	11¾

The author of the British Empire in America, v. 1, p. 213, complains of this expense, and praises the French for their economy in making settlements. The event has shewn that this vaunted parcimony lost all New France, while the English gained it by a contrary course, and spread their race and language over the whole continent.

CHAPTER XX.

THE forced removal of the French Acadians, who called themselves neutral French, occurred in this year. The first step in the affair took place on thursday, 3 July, 1755.—At a meeting at the governor's house in Halifax, at which were present lieutenant governor Lawrence, and hon. councillors Green, Collier, Cotterell and Belcher, the lieutenant governor laid before the council two memorials from the deputies and inhabitants of Mines and Piziquid, that had been transmitted to him through captain Murray, the commanding officer at Fort Edward.

In the first of these, signed by twenty-five persons, they express themselves sensibly affected by the conduct of the government towards them,—of the doubts entertained of their sincerity; refer to their past conduct, wherein they allege they have kept their oaths, tho' solicited and menaced by another power to break them; state their disposition to continue loyal and true as heretofore, as long as the king leaves them the liberties he has granted them.—They complain that they are charged with carrying grain to the enemy at Beauséjour and St. John, which they deny—of being debarred from carrying corn by water from one settlement to another; state that some of the refugees had taken away their own cattle,—ask for the use of their canoes to carry what they need from river to river, or to fish for their subsistence, of which freedom they were never before deprived. Their guns they look on as their own property; they have been taken from them, though they were essential to protect their families

and their cattle from the wild beasts, which are increasing since the Indians no longer frequent these quarters, and are daily destroying their stock. That the taking away their guns was a weak security for their allegiance. That having a gun will not make a man a rebel, nor taking it from him make him loyal; but it depended on conscience, which would induce him to keep his oath. They then refer to an order dated 4 June, 1755, in his excellency's name, signed by capt. Murray, requiring them to carry their guns and pistols to fort Edward. If they have any arms left, after the exact search that had been made for them, it would be dangerous to obey this command. The Indians may come to threaten and pillage them, and reproach them with furnishing arms to kill them with. They beg, on the contrary, the return of the weapons of which they have been already deprived, to preserve themselves and their cattle. They finally complain that Pierre Melançon, of river *aux Canards*, was seized with a loaded boat, having had no previous notice of any order to the contrary. The second memorial, signed by forty-four inhabitants, is to beg a favorable interpretation of the other document, if any part of it is too harshly or improperly expressed.

Captain Murray had informed the governor that for some time before the delivery of the first of these memorials, the French inhabitants in general had behaved with greater submission and obedience to the orders of the government than usual, and had readily delivered in to him a considerable number of their fire arms, but at the delivery of the memorial they treated him with great indecency and insolence. This made him suspect them of having some information not received by the government. Lawrence believed it was a report of a French fleet being in the bay of Fundy, as any hope of French assistance led them to display an insolent and unfriendly feeling.

The signers of the first memorial had been ordered to come to Halifax, and fifteen of them appeared, the rest being sick. They were reprimanded for their insolence. The memorial was taken up paragraph by paragraph—was read over to them, and comments made on it, to make clear their disaffec-

tion and insincerity—the lenity and protection they had received, and indulgence shewn them hitherto: they were told the laws of England forbid Roman catholics possessing arms. They were then called upon to take oath of allegiance. They replied they were not come prepared to answer on this point. This was treated as evasive, as they had been for six years past frequently called on to take the oath. On this they desired to return home, and consult the body of their people. This was refused, and they retired for an hour to consult among themselves. On coming back, they reiterated that they could not do it without consulting the great body, but were ready to take it as they had done before, (that was, conditionally.) They were told that the conditional oath had been disapproved of by the king, and the council could not accept any oath but an absolute one, such as all other subjects took. They still declining, they were allowed time till the next morning at 10, A. M., to come to a resolution.

On friday, 4 July, the lieutenant governor and council being again assembled, viz: colonel Lawrence, and messrs. Green, Collier, Cotterell and Belcher, the French deputies were brought in. They declared that they could not consent to take the oath in the form required without consulting the body. They were then told that the council could no longer look on them as British subjects, but as subjects to the king of France, and they were ordered to withdraw. 'The council, after consideration, were of opinion, that directions be given to capt. Murray to order the French inhabitants to choose and send to Halifax new deputies, with the general resolution of the said inhabitants in regard to taking the oath, and *that none of them, for the future, be admitted to take it, having once refused so to do, but that effectual measures ought to be taken to remove all such recusants out of the province.*' The deputies were then called in, and were informed of this resolution; on which they submitted, and were willing to take the unconditional oath, but they were not permitted to do so, on the ground that it would be the effect of compulsion and force; and the English act of 1 Geo. 1, stat. 2, c. 13, s. 10, was alleged as making their first refusal final. On the 15 July, the lieut. governor assem-

bled at his house, in Halifax, messrs. Green, Collier, Cotterell and Belcher, councillors, and, at his particular request, vice admiral Boscawen and rear admiral Mostyn. The recent proceedings of the council were laid before the two admirals, who approved of what had been done, and "gave it as their" "opinion, that now was the properest time to oblige the said" "inhabitants to take the oath of allegiance to his majesty," "or to quit the country." Captain Rous's letter, stating the destruction of the fort at St. John river, was read, and it was resolved so to leave it; also to retain and pay the 2000 New England troops at Chignecto, under the command of colonel Monckton.

On the 18 July, lieutenant governor Lawrence wrote to Sir Thomas Robinson, the secretary of state. He says in his letter: "As the French inhabitants of this province have never" "yet taken the oath of allegiance to his majesty unqualified," "I thought it my duty upon this occasion to propose it to" "them; and as the deputies of the different districts in Mines" "Bason were attending in town, upon a very insolent memo-" "rial they had delivered to the council, I was determined to" "begin with them. They were accordingly summoned to" "appear before the council, and after discussing the affair of" "the memorial, article by article, the oath was proposed to" "them. They endeavored, as much as possible, to evade it," "and at last desired to return home and consult the rest of" "the inhabitants, that they might either accept or refuse the" "oath in a body; but they were informed that we expected" "every man upon this occasion to answer for himself; and" "as we would not use any compulsion or surprise, we gave" "them 24 hours time to deliver in their answer, and if they" "should then refuse, they must expect to be driven out of" "the country; and though they should afterwards repent of" "their refusal, they would not be permitted to take the oath." "The next morning they appeared, and refused to take the" "oath without the old reserve of not being obliged to bear" "arms; upon which they were acquainted, that as they refu-" "sed to become English subjects, we could no longer look" "upon them in that light: that we should send them to"

" France by the first opportunity, and till then they were "
" ordered to be kept prisoners at George's island, where they "
" were immediately conducted. They have since desired to "
" be admitted to take the oath, but have not been admitted, "
" nor will any answer be given them until we see how the "
" rest of the inhabitants are disposed. I have ordered new "
" deputies to be elected and sent hither immediately, and am "
" determined to bring the inhabitants to a compliance, or rid "
" the province of such perfidious subjects."

On friday, the 25 July, a council was held at the governor's house in Halifax. at which lt. gov'r. Lawrence, messrs. Greene, Collier, Cotterell, John Rous and Jonathan Belcher, councillors, and vice admiral Boscawen and rear admiral Savage Mostyn were present. A memorial to the lieutenant governor, signed by 207 French inhabitants of Annapolis river, was read. They had assembled under his excellency's order of 12 July, and profess great respect and fidelity, &c. They have chosen thirty delegates to go to Halifax, whom they have instructed to say or do nothing opposed to H. M. council; " but we enjoin on them not to engage in any new oaths, we " " being resolved and willing to adhere to that which we have " " already taken, and which we have faithfully kept under " " existing circumstances; for the enemies of his majesty " " solicited us to take arms against the government, but we " " have taken care not to do so." The deputies from Annapolis being called in, stated for themselves and their constituents, " that they could not take any other oath than what they had " " formerly taken, which was with a reserve, that they should " " not be obliged to take up arms; and that if it was the " " king's intentions to force them to quit their lands, they " " hoped that they should be allowed a convenient time for " " their departure." After some remarks from the council on their misconduct in aiding the Indian enemy, &c., they were told they must now resolve, either to take the oath without any reserve, or else to quit their lands, for that affairs were now at such a crisis in America, that no delay could be admitted,—that the French had obliged us to take up arms in our defence against their encroachments, and it was unknown

what steps they might take further. For which reasons, if they, the inhabitants, would not become subjects to all intents and purposes, they could not be suffered to remain in the country; upon which, they said, they were determined, one and all, rather to quit their lands than to take any other oath than what they had done before.

The council then told them they ought very seriously to consider the consequences of their refusal. That if they once refused the oath, they would never after be permitted to take it, but would infallibly lose their possessions. That the council were unwilling to hurry them into a determination upon an affair of so much consequence to them, and therefore they should be allowed until next monday, at ten of the clock, in forenoon, to reconsider the matter, and form their resolution, when their final answer would be expected.

On monday, 28 July, the lieut. governor, and messrs. Green, Collier, Cotterell, Rous and Belcher, councillors, and admirals Boscawen and Mostyn, being present, a memorial received from Pisiquid, signed by 103 inhabitants, and one from Mines and river *aux Canards*, signed by 203, were read. They were differently worded, but each refused in positive terms to take any unqualified oath of allegiance. The deputies of Piziquid, Mines, &c., and those of Annapolis river, were then called in, and they all peremptorily refused to take the oath of allegiance to the king of England, whereupon they were all ordered into confinement. As it had been before determined to send all the French inhabitants out of the province if they refused to take the oaths, nothing now remained to be considered but what measures should be taken to send them away, and where they should be sent to. After mature consideration, it was unanimously agreed, that, to prevent, as much as possible, their attempting to return and molest the settlers that may be set down on their lands, it would be most proper to send them to be distributed amongst the several colonies on the continent, and that a sufficient number of vessels should be hired with all possible expedition for that purpose.

Lieutenant governor Phips, of Massachusetts, about this date, in a letter to colonel Lawrence, after commenting on

the defeat of Braddock, says: "I must, on this occasion, also propose to your consideration, whether the danger with which his majesty's interest is now threatened will not remove any scruples which may heretofore have subsisted with regard to the French neutrals, as they are termed, and render it both just and necessary that they should be removed, unless some more effectual security can be given for their fidelity than the common obligation of an oath, for by the principles of their religion this may easily be dispensed with; and although they may expose themselves to be treated as rebels, yet what confidence can be placed in subjects who are inclined to revolt whenever they can do it with safety?"

The different memorials of the French inhabitants are long and argumentative, and are couched in respectful language. They all proceed from the basis of the conditional oath of allegiance, and most explicitly and firmly refuse to take any other, a refusal which they had uniformly persisted in ever since the conquest. The fact that, notwithstanding reiterated demands on them on many occasions to take the oath without reserve as other British subjects do, they had been suffered, from the conquest in 1710 to this time, a period of over forty years, to retain their lands and reside in the country upon a footing of neutrality, (a state of things partly owing to kindness and indulgence of government, and partly to weak and temporizing councils), had, no doubt, led them to believe that this was their rightful position. Under the governors and presidents at Annapolis, they persisted in thus thinking, expressing and acting, while the government confined its assertion of a sovereignty to arguments and reprimands, with no apparent power or design to enforce its views. It would be the acme of absurdity to go on thus with a province, the chief part of the population feeling either a hostile sentiment, or at least indifferent to the success and progress of its rulers, and closely attached to a foreign power. On the settlement at Halifax taking place, the tone of the provincial government became more firm and menacing, but unfortunately the *habitans* now looked on their neutrality as a vested right, sanctioned by long enjoyment; and as the major part of them had adhered

as faithfully to the terms of the oath they had taken, in the light in which they had been taught to view it, as could well be expected of persons in their circumstances, I doubt not that they were, most of them, sincere enough, when, in their remonstrances, they appealed to their past fidelity to their engagements. The occasional breach of the neutrality by individuals, and even the desertion of several hundreds to Beauséjour, were not inconsistent with the pacific and honest intentions of the greater number. In the disturbed state of the country from French encroachment and Indian bands cutting off couriers and checking settlement, the milder rules of action must be abandoned, and military necessity produced measures that one may regard as cruel but unavoidable; but the day had arrived when the British colonists believed themselves justified, in self-defence, to claim and enforce the true rights of their empire over this land; and while the measures adopted were severe and harsh, and in some particulars cannot be justified, it would be difficult to point out any other course that would have consisted with the safety of the English. There can be no room to doubt that such a neutrality as had been suffered, but never sanctioned by the British crown, was wholly incompatible with its just rights of sovereignty, and that all measures requisite to end it—to bring the land and all its dwellers under unconditional submission to the laws of the empire, were now essential to the dignity of the nation, and to the preservation of its territory, so encroached and menaced by the French and their Indian allies.

Lieut. governor Lawrence, writing to lieut. colonel Monckton 31 July, (forwarded by capt. Croxton's party, Aug't. 2nd.), after mentioning the resolve of removing the French of Mines, Annapolis, &c., says: "And as to those about the Isthmus," "most of which were in arms, and therefore entitled to no" "favour from the government, it is determined to begin with" "them first." Transports and instructions will be sent him. This is to be kept secret, and he is instructed to use stratagem to arrest all the men, and detain them until the transports arrive. Their cattle and corn is forfeited, and must be applied towards the great expense of removal; "nor will they be"

"allowed to carry away the least thing but their ready money" "and household furniture." He, Monckton, is to send a strong detachment to Tatamagouche, to prevent their sending their cattle that way to Louisbourg. He is to detach four hundred irregulars to Piziquid, by water if possible. If colonel Winslow wishes, he is to go with this party. "I would have you give orders to the detachment you send to Tatamagouche to demolish all the houses, &c., they find there, together with all the shallops, boats, canoes or vessels of any kind which may be lying ready for carrying off the inhabitants and their cattle." In a subsequent letter, sent by captain Goreham, he orders the destruction and demolishing of the villages of Jediack, Ramseck, &c., to prevent the French rising or joining in bodies. 8 August, Lawrence writes to Monckton a third letter, with confirmation of Braddock's defeat—orders him to demolish all the villages to the North and North West of the fort of Beauséjour, and to try to save the cattle and crop.

Instructions were sent to major John Handfield, commanding the garrison of Annapolis Royal, and to lieutenant colonel John Winslow, commanding H. M. troops at Mines. They bore date on 11 Aug't., 1755. Of the same date were circulars from governor Lawrence to the governors of Massachusetts, New York, Pennsylvania, Maryland, Virginia, North and South Carolina, &c., to which the Acadians were sent. Major John Handfield is told that transports will be sent from Boston to Annapolis to receive 1000 persons, reckoning two persons to a ton,—and from Boston to Mines for a similar purpose; while vessels are engaged at Halifax to carry away the people from Chignecto, it being designed to disperse them among the English colonies on the continent, lest they should return to the province, or join in strengthening the French of Canada or Louisbourg. As Annapolis is the place whence the last of the transports will sail, any of the vessels that may not receive their full complement up the bay will be ordered there, and colonel Winslow, with his detachment, will follow by land, and bring up stragglers to embark there. When the transports come, he is to put on board as many of the inhabitants as can be collected by any means, particularly the heads of families

and young men. Mr. George Saul, who has charge of the provisions, will arrive there from Chignecto.

From Annapolis, 300 persons are to go to Philadelphia.
200 " " to New York.
300 " " to Connecticut.
200 " " to Boston.

The masters of the vessels were to be on their guard, lest the passengers should seize them, and were to allow only a small number to be on deck at one time,—suffer none to carry arms on board with them. If requisite to get them on board, Handfield was to use measures of compulsion, and deprive any who should escape "of all means of shelter or support, by" "burning their houses and destroying everything that may" "afford them the means of subsistence in the country." Winslow, if requisite, will send him reinforcements. As the vessels are paid by the month, he is to use all possible despatch to save the public money. When the transports are ready to sail, a man-of-war is to convoy them.

Winslow's instructions are similar in most points. From Mines, river Canard, Pisiquid, Cobequid, &c.,

500 persons are to be sent to North Carolina.
1000 " " to Virginia.
500 " " to Maryland.

He is to concert measures with capt. A. Murray, who commands fort Edward. When he has completed his task, he is march a detachment to Annapolis, to pick up stragglers and assist Handfield. A subsequent letter of same date, adds: "You must collect the inhabitants together, in order to" "their being transported, in the best manner in your power," "either by stratagem or force, as circumstances may require;" "but above all, I desire you would not pay the least atten-" "tion to any remonstrances or memorial from any of the" "inhabitants whatever, who may be desirous of staying" "behind, but embark every person, if possible, according to" "the instructions herewith sent, without any further applica-" "tion to me." If the tonnage prove insufficient, he is to send express, but not delay the embarkation. The people and their bedding are to go on board, and afterwards, if there is room,

any furniture, but not to incumber the vessels. The water casks are to be all filled. The circulars of 11 August to the English governors, intended to justify the expulsion, I have put in the appendix to this chapter.

A man-of-war, captain Proby, and eight transports, arrived at Chignecto, Wednesday, 20 Aug't., and two other vessels on the 24th. Mr. Jedediah Prebble, an officer there, wrote to colonel Winslow, at Mines, congratulating him with his having such good quarters, and says: 'As you have taken posses-' 'sion of the friar's house, hope you will execute the office of' 'priest.' Governor Lawrence writes, 26 August, to lieutenant colonel Monckton. He thinks 500 men for fort Cumberland, 200 at fort Gaspereau, and 100 at fort Lawrence, will be enough for the ensuing winter. Tells him Winslow has taken post with his detachment at the church at Mines, but has not provision or ammunition to serve any time. Has sent him some, and wishes Monckton to send more. Regrets that he had not been able to secure the St. John's Indians in the English interest. "The provisions you sent down are put on board" "the fleet, together with three priests of Mines, Piziquid and" "Annapolis. I forgot to tell you to lay hold of the priest at" "Chignecto, Miniac, I think they call him, that he might be" "sent with the rest; if it is not too late, I wish you could do" "it still." All the cattle that can be brought in from the villages of Petitcoudiac, Memramcook and Chipody, he wishes distributed, as many amongst "our people of Chignecto" as they think they can support during the winter, and the rest to be used as rations for the troops. This despatch, which contains many other details, is printed in the New York Historical Magazine of 1860, pp. 41, &s. Lieutenant Pernette, of the Rangers, was sent, with an escort, to carry it and other letters to capt. Murray, at Fort Edward. He was specially instructed to secrecy, and his party were to be silent with the French Acadians as to anything they had heard, and no private letters were to be delivered.

Murray went on to Mines without delay, and it was agreed between Winslow and him that the capture of the people should take place on friday, 5 September, to give them time to put

their corn into the barns. The camp at Grand Pré had been picquetted in. Winslow tells Lawrence, "although it is a" "disagreeable part of duty we are put upon, I am sensible it" "is a necessary one, and shall endeavor strictly to obey your" "Excellency's orders to do everything in me to remove the" "neighbours about me to a better country: as to poor father" "Le Blanc, I shall, with your Excellency's permission, send" "him to my own place." While in all the districts of Mines and Pisiquid no suspicion or apprehension of the coming event existed, one of the Boston transports arrived at Annapolis, and about a hundred heads of families fled to the woods, taking their bedding with them, and Handfield applied to Winslow for reinforcements to enable him to bring them in.

At the villages round fort Edward all the people were quiet and busy with their harvest. At the river Canard was a fine country, full of inhabitants, a beautiful church, abundance of worldly goods, and plenty of all kinds of provisions. At the village Melançon, on the Gaspereau, and also in the South front of Winslow's camp, everything was prosperous. Such was the condition of these lands in the beginning of September, a season peculiarly calculated to exhibit Acadian scenery in its richest charms. Although all the features of war may be thought repulsive and odious, and the concussions which political necessity inflicts painful to consider, the scene we are now to contemplate has very remarkable features of a distressing character. The contrast is striking between the state of a cheerful peasantry living in the lap of comparative luxury, suddenly torn from their homes and transported as beggars to a distant land; and one is apt, at first view of these deplorable circumstances, to affix unlimited blame on those who ordered and those who executed the removal. But we must remember that all the governors and rulers of this province had decided that the Acadians ought to be removed, unless they would honestly become British subjects. As no man can serve two masters, the position they held was tenable no longer than the weakness or lenity of government permitted it; and now the game was for a great stake, for France was aiming to drive a million English settlers out of this continent, and to become

mistress of America and ruler of the ocean. At the very moment that the last despatches were sent by Pernette to Murray, Winslow and Monckton, 28 August, colonel Dunbar was entering the city of Philadelphia, from Monongahela, with about 1000 men, the remains of general Braddock's army, greatly fatigued, and almost naked. [*London Magazine*, 1755, *p.* 498.]

On the 2 Sept'r. Winslow issued a written order, addressed to the inhabitants of Grand pré, Mines, river Canard, &c., commanding all the men, old and young, to attend at the church at Grand pré, on friday, the 5th. at 3, P. M., to hear from him the governor's resolution respecting the matter proposed to the inhabitants, "being desirous that each of them should be" "fully satisfied of his majesty's intentions, which he has also" "ordered us to communicate to you, such as they have been" "given to him." All of 10 years old and upwards are ordered to attend without excuse, under pain of forfeiting goods and chattels, &c. In consequence of this notice, four hundred and eighteen men assembled in the church. Winslow and his officers were in the midst. He thus addressed them: "Gentlemen. I have received from his excellency, governor" "Lawrence, the king's commission, which I have in my hand," "and by his orders you are convened together, to manifest to" "you his majesty's final resolution to the French inhabitants" "of this his province of Nova Scotia, who, for almost half a" "century, have had more indulgence granted them than any" "of his majesty's subjects in any part of his dominions; what" "use you have made of it, you yourselves best know. The" "part of duty I am now upon, though necessary, is very dis-" "agreeable to my natural make and temper, as I know it" "must be grievous to you, who are of the same species; but" "it is not my business to animadvert, but to obey such orders" "as I receive, and therefore, without hesitation, deliver you" "his majesty's orders and instructions, namely, that your" "lands and tenements, cattle of all kinds, and live stock of" "all sorts, are forfeited to the crown, with all other your" "effects, saving your money and household goods, and you" "yourselves to be removed from this his province. Thus it"

" is peremptorily his majesty's orders, that the whole French "
" inhabitants of these districts be removed ;, and I am, thro' "
" his majesty's goodness, directed to allow you liberty to "
" carry off your money and household goods, as many as you "
" can without discommoding the vessels you go in. I shall "
" do everything in my power that all these goods be secured "
" to you, and that you are not molested in carrying them off ; "
" also, that whole families shall go in the same vessel, and "
" make this remove, which, I am sensible, must give you a "
" great deal of trouble, as easy as his majesty's service will "
" admit ; and hope that, in whatever part of the world you "
" may fall, you may be faithful subjects—a peaceable and "
" happy people. I must also inform you, that it is his "
" majesty's pleasure that you remain in security under the "
" inspection and direction of the troops that I have the honor "
" to command." And he then declared them the king's prisoners.

The whole number of persons collected at Grand pré finally amounted to 483 men and 337 women—heads of families, 527 boys and 576 girls,—in all, 1923 souls. Their stock consisted of 1269 oxen, 1557 cows, 5007 young cattle, 493 horses, 8690 sheep, 4197 swine. Some escaped to the woods, but all possible means were resorted to, to recapture them ; and it is said the country was laid waste to deprive them of subsistence. In the district of Mines alone, 255 houses, 276 barns, 155 out-houses, 11 mills and one church, are stated to have been destroyed during the evacuation ; and by September 10 these prisoners were embarked in the transports. [1 *Haliburton's history, pp.* 175, 332, *&c.*, where the speech and several letters are given.] On the day of the meeting in the church, Winslow issued a proclamation, declaring all the property, landed or moveable, of the inhabitants, forfeited, and forbid any one touching it without orders ; and another order, that the French should all be in their quarters in the church at tattoo, and in the day time should not walk beyond his quarters on the East. A serjeant and 12 men to patrol round the church constantly, and all centinels to be doubled ; and he adds this to the record of his orders :—P. S. Sept. 5. The

French people not having with them any provisions, and many of them pleading hunger, begged for bread, on which I gave them, and ordered that for the future they be supplied from their respective families. Thus ended the memorable fifth day of September, a day of great fatigue and trouble. J. W.

Captain Murray had, on the 5 Sept'r., got 183 men into his possession, and looked for more from distant rivers. He sent father le Blanc's son to Winslow to accompany his parent. On the 8th. he wrote to colonel Winslow thus :

Dear Sir. I received your favour, and am extremely pleased that things are so clever at Grand Pré, and that the poor devils are so resigned ; here they are more patient than I could have expected for persons so circumstanced, and what still surprises me, quite unconcerned. When I think of those at Annapolis, I appear over thoughtful of summoning them in ; I am afraid there will be some difficulty in getting them together. You know our soldiers hate them, and if they can but find a pretext to kill them they will. I am really glad to think your camp is so well secured, (as the French said at least a good prison for inhabitants.) I long much to see the poor wretches embarked, and our affairs a little settled, and then I will do myself the pleasure of meeting you, and drinking their good voyage, &c. &c.

Meanwhile the progress of this business was more difficult in the vicinity of Chignecto. Serious resistance was made to the forces sent out to destroy the villages. Major Fry, with capt. Brentnall, Thomas Speakman, Mr. Endicott, Dr. March, lieut. Billings, and 200 men, embarked on board the sloop York, capt. Cobb, and the schooner Warren, capt. Adams, and the same evening landed at Chippoudie, a village 8 leagues up the river, having instructions to bring off all the inhabitants and set fire to the houses. Upon their first landing they marched with an advance and two flank guards to the village, but found all the inhabitants were fled, except 25 women and children, who were taken prisoners. They set fire to the buildings, and burnt down 181 houses and barns, with all the hay, grain, &c., therein. After this they proceeded to the mass house, which, with what was therein, was burnt to ashes.

Then putting the prisoners on board one of the transports, they embarked again on 3 Sept. Two of the officers, with 62 men, were ordered to Petitcoudiak, and having landed within sight of the armed vessels, they found the houses entirely evacuated; and by the first of September they laid the buildings in ashes for 15 miles in length, on the Northerly side of the river, and about 6 on the other side; and when they came in sight of a *Mass house*, they discovered foot tracks lately made, and soon after perceived a smoke. The mass house being close to a wood, they posted proper guards, and as they were preparing to fire the house, a signal gun was fired by the enemy, and before the guards and the few men with them could repair to the main body, they found themselves almost surrounded by them; upon which they were obliged to rush through them as well as they could, firing their pieces and receiving their fire; and while thus retreating, the Indians gained ground—killed doctor March, who acted as a leader contrary to orders, and lieut. Billing, and ten more were wounded, and five or six privates killed. But a serjeant, with six men, coming from a copse of wood, stopt their pursuit, so that the rest of our men gained the dyke and secured their retreat. All this time it was impossible for major Fry to come to their assistance, on account of the rapidity of the river, being driven by the current three-fourths of a mile below the intended landing place; but landing the rest of his men as soon as he possibly could, he drew up the whole body and made a stand. Upon this the enemy, commanded by Boishebert, likewise drew up in a body, besides the dykes being lined with Indians, and parties (supposed to be upwards of 300) scouting in the woods; but they were not inclined to engage the English forces in an open manner, tho' with such a number they might have done almost as they pleased. At high water the two armed vessels got in as near the shores as they safely could, and, covering each of the flanks, sent their boats to take the men on board, the vessels, during the embarkation, firing their cannon, and keeping the rebels off. The French acknowledge only one Indian killed and 3 wounded. 253 houses and barns, besides

the mass house, were burnt. [*See London Magazine*, 1755, *p.* 627. 1 *Haliburton*, 336, 337.]

Lieut. governor Lawrence wrote, 18 Oct'r., to the lords of Trade. He states that, tho' every means was used to point out to the deputies their true interest, and sufficient time given them to deliberate, nothing could induce them to acquiesce in any measures consistent with H. M. honor and the security of the province. He says: "We easily foresaw that a driving them out by force of arms to Canada or Louisbourg, would be attended with great difficulty, and if it had succeeded would have reinforced those settlements with a very considerable body of men, who were ever, universally, the most inveterate enemies to our religion and government, and now highly enraged at the loss of their ——. The only safe means that appeared to us of preventing their return or their collecting themselves again into a large body, was distributing them among the colonies from Georgia to New England. Accordingly vessels were hired at the cheapest rates. The embarkation is now in great forwardness, and I am in hopes some of them are already sailed, and that there will not be one remaining by the end of the next month. As soon as the French are gone, I shall use my best endeavours to encourage people to come from the continent to settle their lands, and if I succeed in this point, we shall soon be in a condition of supplying ourselves with provisions, and I hope, in time, be able to strike off the great expence of victualling the troops. This was one of the happy effects I proposed to myself from driving the French off the Isthmus; and the additional circumstance of the inhabitants evacuating the country will, I flatter myself, greatly hasten this event, as it furnishes us with a large quantity of good land ready for immediate cultivation—renders it difficult for the Indians, who cannot, as formerly, be supplied with provisions and intelligence, to make incursions upon our settlers, and I believe the French will not now be so sanguine in their hopes of possessing a province that they have hitherto looked upon as already peopled for them, the moment they could get the better of the English. As the three French priests, messrs. Chauvreulx, Daudin and Lemaire, were of no

further use in this province after the removal of the French inhabitants, admiral Boscawen has been so good as to take them on board his fleet, and is to give them a passage to England."

Father Germain had gone to Quebec, while M. Boishébert was left on the river St. John to collect and unite the Acadians in that quarter. Vaudreuil calculated on many advantages to be derived from Boishébert being in command on the St. John. In his letter to M. de Machault, of 18 October, referring to Boishébert's position, he says: "He will occupy himself in like manner to reunite the Indians, and will form an equally considerable corps of them; he will correspond with M. Manach, missionary of Miramichi, and according to the exigency of the case, will join the Indians of that mission to his own, to oppose the progress of the enemy. He will be in a position to have spies constantly at Beauséjour and Halifax, and to make some prisoners, who will inform him of the situation and strength of the English." "He will be able to organize parties of Acadians and Indians, to continually harrass the enemy at Beauséjour, and to prevent them cutting firewood. By holding the river St. John, I shall be able to obtain news at all times from Louisbourg; and it will be necessary only to cross from the island of St. John to Chedaik, or, after having crossed the gut of Canso, to keep along the coast to Chedaik or Cocagne."

Governor Lawrence, in his letter to Sir Thomas Robinson, of 10 Nov'r., 1755, explains the movements of the *deserted* French inhabitants who left the English side of the Missiguash and swore allegiance to the king of France, and being joined by other Acadian French, who took refuge under the protection of fort Beauséjour, were reckoned at 1400 men, capable of bearing arms. They had before that sworn allegiance to the English king, with a reserve of not bearing arms. After the fall of Beauséjour, it being found that the rest of the French inhabitants were as far from loyalty as the deserters, the resolution to banish them all was taken. The greater part of them, if not the whole, had then sailed. He proposes in the spring to repair and garrison the fort at St. John's river,

The vessels employed in transporting the French Acadians were 17 in number, paid by Apthorp and Hancock, in which 2000 or 3000 persons were carried to the other colonies, 50 of whom were sent direct from Halifax to North Carolina. On the 8 Sept'r., 1755, major general Johnson, (Sir Wm.), nephew of admiral Warren, gained a victory over general Dieskau, near lake George, (lac du St. Sacrement.) Johnson is said, by the French accounts, to have had 3000 men, while the French troops were 222 regulars, 600 Canadians and 760 Indians, (total 1582 men.) John Herman Dieskau, major gen'l., was wounded, and made prisoner. He died in 1767, at Surene, in France, in consequence of the wounds he received in this engagement. 6 or 7 officers and 83 men of the French forces were killed, and 130 wounded. On the English side, Johnson was wounded, 40 Indians and 130 English killed, and 60 wounded.

In closing the account of this eventful year, the English colonist can look back with deep satisfaction at the fall of Beauséjour, a fortress erected in defiance of every principle of fairness, justice, and international law; but in the melancholy fate of the French Acadians, removed by force, scattered in strange lands, among an uncongenial people, the retrospect is anything but agreeable. While we see plainly that England could never really control this province while they remained in it, all our feelings of humanity are affected by the removal itself, and still more by the severity of the attendant circumstances. Sent to the other colonies without any previous consent on their part to receive them, and with little or no provision made for their support when they arrived there,—scattered among communities to whom their religious worship was odious, and deprived of all their property without compensation, it is not to be wondered at that the poet and the novelist have made capital of their sufferings. They were the victims of great error on their own part, and of delusive views that false friends had instilled into their minds, and the impulses of national ambition and jealousy precipitated their fate. It is, however, some consolation to know that very many of the exiles returned within a few years to their native land, and though not restored to their original farms, they became an

integral and respected portion of our population, displaying, under all changes, those simple virtues that they had inherited —the same modest, humble and peaceable disposition, that had been their early attributes. On many parts of our Atlantic shore—in Cape Breton, in Prince Edward Island, and the Magdalen islands, and in portions of New Brunswick, the Acadian French still exist in considerable numbers, and tho' most of their gentry left the province at Nicholson's conquest, we have yet among us lineal descendants of the great Latour in the female line, in the family of Dentremont, and other branches. The love of country must have been strong indeed in the Acadians to induce them to return at the first opportunity and begin the world anew, without money or patronage, and to build up, by patient industry and economy, communities, prosperous and valuable, such as, for example, the settlements of the district of Clare.

" However rugged be the strand,
" I love, I prize my native land.
" On no compulsion would I change
" For fairer clime or wider range.
" Here where my infant joys were found,
" To me is ever holy ground.
" My country ! how can I unfold
" The love I bear thee, words are cold."

1755. 30 December, lieut. colonel Montague Wilmot, and Charles Morris, esq'r., were appointed members of the council, and took the oaths and their seats. The other members present were messrs. Collier, Cotterell, Monckton and Rous.

APPENDIX TO CHAPTER XX.

(1.)

[The scroll or draft of this in ms. is endorsed " to the governors on the continent."]

Halifax, Nova Scotia, 11th Aug., 1755.

Sir. The success that has attended his majesty's arms in driving the French out from the encroachments they had made in the province, furnished me with a

favorable opportunity of reducing the French inhabitants of this colony to a proper obedience to his majesty's government, or of forcing them to quit the country. These inhabitants were permitted in quiet possession of their lands, upon condition they should take the oath of allegiance to the king within one year after the treaty of Utrecht, by which this province was ceded to Great Britain; with this condition they have ever refused to comply, without having (at the same time) from the governor an assurance in writing that they should not be called upon to bear arms in the defence of the province, and with this general Philipps did comply, of which step his majesty has disapproved; and the inhabitants therefrom pretending to be in a state of neutrality between his majesty and his enemies, have continually furnished the French and Indians with intelligence, quarters, provisions and assistance in annoying the Government; and while one part have abetted the French encroachments by their treachery, the other have countenanced them by open rebellion; and three hundred of them were actually found in arms, in the French fort at Beauséjour, when it surrendered.

Notwithstanding all this former bad behaviour, as his Majesty was pleased to allow me to extend still further his Royal grace to such as would return to their duty, I offered such of them as had not been openly in arms against us, a continuance of the possession of their lands, if they would take the oath of allegiance, unqualified with any reservation whatever. But this they have audaciously as well as unanimously refused; and if they would presume to do this when there was (is) a large fleet of ships in the harbor, and a considerable land force in the province, what might we not expect from them when the approaching winter deprives us of the former, and when the troops, which are only hired from New England occasionally, and for a short time, have returned home.

As by this behaviour the inhabitants have forfeited all title to their lands, and any further favour from the Government. I called together his Majesty's council, at which the Hon. Vice Admiral Boscawen and Rear Admiral Mostyn assisted, to consider by what manner we could, with the greatest security and effect, rid ourselves of a set of people who would for ever have been an obstruction to the intention of settling this colony, and that it was now, from their refusal of the oath, absolutely incumbent upon us to remove.

As their numbers amount to near seven thousand persons, the driving them off, with leave to go whithersoever they pleased, would have doubtless strengthened Canada, with so considerable a number of inhabitants; and as they have no cleared land to give them at present, such as are able to bear arms must have been immediately employed in annoying this and the neighboring colonies. To prevent such an inconveniency, it was judged a necessary and the only practical measure to divide them among the colonies, where they may be of some use, as most of them are healthy, strong people; and as they cannot easily collect themselves together again, it will be out of their power to do any mischief, and they may become profitable, and, it is possible, in time, faithful subjects.

As this step was indispensibly necessary to the security of the colony, upon whose preservation from French encroachments the prosperity of North America is esteemed, in a great measure, dependant, I have not the least reason to doubt your Excellency's concurrence, and that you will receive the inhabitants I now send, and dispose of them in such a manner as may best answer (our design) in preventing their reunion.

As the vessels employed in this service are upon monthly hire, I beg the favor

of you to expedite, as much as possible, their discharge, and that they may be furnished with a certificate of the time thereof, agreeable to the form enclosed.

I am, sir, your most obedient and most humble servant,

CHAS. LAWRENCE.

For his Majesty's especial service.

To the Hon. Arthur Dobbs, Esq., captain general and commander-in-chief of his Majesty's province of North Carolina, in America, or to the commander-in-chief of the said province for the time being.
North Carolina.

(2.)

(From Thacher's History of the town of Plymouth. Boston, 1835, pp. 142, 143.)

Speaking of General John Winslow, a descendant of the early governors of that name in New England, he says :—

"In 1740 he commanded a company in the expedition against Cuba, and afterwards rose to the rank of major-general in the king's service." That as colonel, he was second in command in the expedition under Monckton, in 1755; that "so great was the popularity of colonel Winslow, that in an incredibly short" "time he raised for this expedition 2000 men." That "in 1756 he commanded" "at Fort William Henry, on Lake George. He was also a counsellor of the" "province" (of Massachusetts.) "He died at Marshfield in 1774, at the age" "of 73." That he resided several years in Plymouth. That he was remarkable for his skill in horsemanship. That he left two sons, Pelham and Isaac, both attached to the Royal cause in the American revolution.

CHAPTER XXI.

1756. The governor and council at Annapolis in the period during which it was the capital of the province, had occasionally passed ordinances. These were either temporary regulations to regulate the trade in grain of the bay of Fundy, or else local rules affecting the people of the village. After the government was established at Halifax, many important laws were passed by the governor and council, some of which imposed duties on trade, to raise a revenue. It seems that some person had questioned their power of legislation, for we have the opinion of the attorney and solicitor general of England, Murray and Lloyd, dated 29 April, 1755, who, having considered the governor's commission and royal instructions, and the observations of Jonathan Belcher, esq'r., the chief justice, gave their opinion, "that the governor and council alone are" "not authorized by his majesty to make laws. Till there can" "be an assembly, his majesty has ordered the government of" "the infant colony to be pursuant to his commission and" "instructions, and such further directions as he should give," "under his sign manual, or by order in council." [1 *Chalmers' Opinions*, 261, 262.] This official decision appears to have made the constitution of a representative assembly a desirable proceeding to meet the requirements of the times. Such an idea at all events prevailed, but governor Lawrence was not over anxious to forward this view. In his letter to the lords of trade, 8 Dec'r., 1755, he says, very truly, that the question of the validity of these ordinances is altogether a point of law. He asserts that the laws passed were chiefly such as were

indispensably necessary for the good regulation of the town of Halifax, and encouragement of its commerce. The merchants and people concerned had never questioned the authority of these enactments. He says that laws were passed in Virginia in the same manner prior to the convening an assembly. He refers them to the 86th. instruction, and shews it cannot be practically complied with, as there is but one township (Halifax), erected. The chief justice's proposition to elect twelve members at Halifax, (as a county election), for the province, he thinks would give the merchants the whole power, and exclude the landed interest. If ordered, he will punctually execute instructions on this matter, but states that the expence of a house for the assembly to meet in—payment of their clerk and officers, must be provided for, as the people here are not able to defray these charges.

Mr. Green, one of the council, was, in January, at Boston, instructed to communicate with governor Shirley on the affairs of Nova Scotia. Lawrence wrote to Shirley at this time, that the sentiments of the latter concerning the French inhabitants had turned out to be directly just in every particular, and that they proved to the very last the faithless and perfidious wretches he had always described them, and would certainly, in case of a rupture with France, have worked out the destruction of the province, had they been suffered to remain in it. He had instructed Green to propose to Shirley the repeopling the evacuated lands in Nova Scotia with Protestants from the continent, and the fortifying the river St. John. Lawrence was called on by the Massachusetts assembly and government to indemnify them for expences they incurred in receiving and supporting the French Acadians. On the 10 Feb'y. parliament voted £55,032 19 0 for the support of the colony of Nova Scotia. This sum does not include charges of forces and garrisons. Shirley tells Lawrence that the New England people are accustomed to be ruled by a governor, council and assembly, and to charter constitutions; that publication of the terms on which they are to be encouraged to settle, and protection from French or Indian enemies, will be all that can now be done to induce them to migrate to Nova

Scotia. He also asks to have 2000 stand of arms returned. Shirley, after the death of Braddock, was commander-in-chief of the army, and was now engaged in plans for a new campaign on the Canadian borders. The earl of Loudon was made governor of Virginia and commander-in-chief in North America.

One of the transport vessels that sailed from Annapolis Royal, bound for Carolina, with thirty-six families of Acadians, numbering 226 persons, was taken possession of by her passengers, and carried into the river St. John. In February, Lawrence sent a party of Rangers in a schooner to St. John, the men clothed like French soldiers and the vessel wearing French colors. His intention was to obtain intelligence, and, if possible, to bring off some of the St. John river Indians. The officer in command of the schooner found the English transport there, and would have brought her off, had not their disguise been rendered useless by an accident. The French, finding they were foes, set fire to the ship, and some shot were exchanged. They brought back with them one Acadian Frenchman, whom they took by a stratagem. There were no Indians there at the time, part of them being with Boishébert, at Gedaique, (Shediac), and the rest at Pasimaquadie. Up the river, at a place called St. Anns, there was a French officer, with about twenty men. Lieut. colonel Scott, at Chignecto, went with a strong detachment after Boishébert, who was at head of some Acadians and Indians. Not finding him where expected, he was returning to his fort, and was attacked in the rear on his march, and lost two men of the Regulars. He had reason to believe that the enemy lost six or seven Indians in this skirmish. A schooner, belonging to Mr. Winniett, carrying six guns and having a crew of ten men, McNeale, master, bound from Boston to Annapolis Royal, laden with provisions for the garrison, in which captain-lieutenant Martin, of the artillery, was going to his duty at the fort, was surprised and captured by the Indians, (in February), at Pasimaquadie, where she lay at anchor. At this time it was estimated that about five hundred of the French inhabitants were lurking about in the woods in Nova Scotia, and an attack on Anna-

polis in the spring, by French and Indians, was projected and rumored. Shirley urged on governor Lawrence to send an expedition in the spring to drive the French from the river St. John, and to build a fort 90 miles above the mouth, where the French held their upper post. The two Massachusetts regiments were now preparing to return home from Nova Scotia, and Massachusetts could not send aid, as they were raising a large body of men for an expedition on the continent in the coming summer.

Early in April, a battalion of general Shirley's New England regiment, under command of major Jedediah Prebble, lay in Halifax harbor, embarked in two schooners and ten sloops, and a detachment of 37 officers and men of the artillery in another sloop. The New Englanders were on their return to Boston, the term of their enlistment having expired, and the artillerymen were to be taken to New York, to join general Shirley. This flotilla were to sail under convoy of H. M. S. Vulture, John Scaife, commander. As there were many French Acadians in the neighborhood of cape Sable and port Latour still unremoved, governor Lawrence ordered them to put into cape Sable or some of the adjoining harbors on their way to Boston. Prebble was directed to land troops—seize as many of the inhabitants as possible, and carry them to Boston. He adds: "You are, at all events, to burn and destroy the" "houses of the said inhabitants, and carry their utensils and" "cattle of all kinds, and make a distribution of them to the" "troops under your command, as a reward for the perform-" "ance of this service, and to destroy such things as cannot" "conveniently be carried off."

Governor Lawrence had obtained from the two New England regiments, raised the year before for the siege of Beausejour, one hundred and eight men, who took service in the regular troops in Nova Scotia; but as the assembly of Massachusetts disapproved of this, and governor Shirley, as commander-in-chief, objected, he was obliged to discharge these men again. One of the New England battalions had left this province, and the other was (28 April) waiting only for transports. The troops he had left (being under 2500) were but enough to

protect Halifax, Lunenburg, Annapolis and Chignecto. The escaped Acadians, under Boishébert, were still lurking about the North side of the bay of Fundy, but Lawrence could not prudently send out detachments to check them. In his letter of 28 April to the lords of trade, he tells them that the different provinces to which the French inhabitants were sent, had received them, and that his orders to major Prebble to destroy the French settlement at cape Sable and carry off the inhabitants, had been executed. Three men of the 40th. regiment (Hopson's) were sentenced 15 April, hanged 17 April, and their bodies hung in chains. They had seized on a schooner, and endeavored to take her to Louisbourg.

The fort at *baie Verte* had been re-named Fort Monckton. On the 26 April, lieutenant Bowen was out from this fort with a party of 30 men, in order to get wood. They were attacked by a body of Indians, who killed and scalped nine of the men, and wounded another. Colonel Scott, who commanded at Beauséjour, sent 200 men of his own (New England) battalion to *baie Verte*, with a serjeant and ten men of the regulars. He replaced the men that were killed, and caused three weeks' supply of wood for fort Monckton to be laid in. On 27 April, the Indians killed one of the regulars, and carried off one of the irregulars. These two men had strayed beyond their limits down to the side of the river Tintamarre, opposite Westcoque, about the break of day. Scott proposed to raise two companies of rangers from amongst his men, with 25s. bounty per man, a dollar to the enlisting officer—to serve for eighteen months, and found it indispensable to offer them payment for prisoners and scalps. About 20 had enlisted, after two days' consideration. Scott offered them £25 for each male Indian prisoner above 16 years old—£20 for Indian female prisoner —£20 for the scalp of a man, and £10 for child prisoner. He engaged to ask the governor to raise the price of scalps, and to grant similar bounties for Acadian prisoners or their scalps, "as they now act in conjunction with the Indians."

The horrors and atrocities of this kind of warfare were not confined to the Isthmus. A gentleman named Payzant came to Halifax in 1754, with a recommendation to Lawrence, then

president, from Mr. Pownal, secretary to the lords of trade. (I find in the London magazine for 1757, among the deaths, 'July 23. James Payzant, esq: a clerk in the secretary of state's office, aged 100.) Mr. Payzant decided on settling with his family in the vicinity of the new German town of Lunenburg, and Lawrence gave him a letter to colonel Sutherland, who commanded there, requesting that he should be favored and protected in his design. Payzant established his residence, building a house on an island in Mahone bay, a delightful region, not far from another island then called Rous island, on which there was also a settlement belonging to capt. Rous. A party of Indians went to Rous's island—took off a boy, whose hands they tied, and forced him to guide them to Payzant's place, the islands being numerous, and then probably all covered with wood. They killed and scalped Payzant himself, a woman servant and a child—carried off Mrs. Payzant and four children, and also killed and scalped the boy guide. The man who lived on Rous's island was also found scalped. It was the practice of the Indians then to carry any prisoners whose lives they spared to Canada, where they were disposed of for a money ransom, which the humanity of the French inhabitants or the policy of the Quebec rulers provided; and after years of exile, the survivors got back to the British colonies, on exchange of prisoners, re-payment of ransom, or at a general peace. In this instance, one, if not more, of the four children of Payzant were, after a long time, restored to Nova Scotia. A son of this family got back from Canada, and in after life was a religious teacher of great piety and virtue at Liverpool, Nova Scotia, and the name is still found in the province, growing in esteem.—On friday, 14 May, the lieutenant governor assembled his council at his own house, in Halifax, at which messrs. Green, Cotterel, Rous, Collier, Monckton and Wilmot, met him. He laid before them the letters he had received from Scott and Sutherland, detailing the circumstances of the Indian warfare, and they resolved to offer bounties for Indian prisoners and scalps.

The following is re-printed from one of the placards then issued:

[ROYAL ARMS.]

BY

CHARLES LAWRENCE, Esq;

Lieutenant-Governor and Commander in Chief of His Majesty's Province of *Nova-Scotia*, or *Accadie*.

A PROCLAMATION.

WHEREAS *notwithstanding the gracious Offers of Friendship and Protection made by us, in his Majesty's Name, to the Indians inhabiting this Province, and the Treaty of Peace concluded with a Tribe of the* Mickmacks, *bearing Date the 22d November*, 1752, *the Indians have of late, in a most treacherous and cruel Manner, killed and carried away divers of his Majesty's Subjects in different Parts of the Province.*

FOR these Causes We (by and with the Advice and Consent of His Majesty's Council) do hereby authorize and command all Officers, civil and military, and all His Majesty's Subjects, to annoy, distress, take and destroy the Indians inhabiting different Parts of this Province, wherever they are found; and all such as may be aiding or assisting to them, notwithstanding the Proclamation of the 4th of *November*, 1752, or any former Proclamation to the contrary.

And We do hereby promise (by and with the Advice and Consent of His Majesty's Council) a Reward of *Thirty Pounds* for every male Indian Prisoner, above the Age of Sixteen Years, brought in alive; for a Scalp of such Male Indian *Twenty-five Pounds*, and *Twenty-five Pounds* for every Indian Woman or Child brought in alive: Such Rewards to be paid by the Officer commanding at any of His Majesty's Forts in this Province, immediately on receiving the Prisoners or Scalps above mentioned, according to the Intent and Meaning of this Proclamation.

Given at Halifax, *this 14th Day of May*, 1756, *in the 29th Year of His Majesty's Reign.*

By His Excellency's Command,

Chas. Lawrence.

Wm. Cotterell, Secr.

GOD save the KING.

Halifax: Printed by J. Bushell, Printer to the Government. 1756.

This paper was about 12 inches long by five inches wide.

It is not the duty of the historian to aggravate and color darkly the errors, the severities, or even the crimes he relates, Human nature is too open at all times to the influence of passion, the seductions of ambition, and the prejudices of party and faction. It is impossible to read the solemn orders for destroying and annihilating the homes and their surroundings of our fellow creatures—the forcible capture and removal of families—the rewards in money to the soldier for the scalp of an enemy, and many other proceedings of those in authority

at this period, without strong sensations of pain and disgust. Those who were called savages, destitute of the supposed advantages of civilization and learning, which are said to humanize and soften the feelings, no doubt, in their attacks on the English, whom they were zealously and systematically instructed to believe not only enemies to themselves but hostile to their great French king and father, and to the religion they had been taught, did not stay much in their career, when on the war path, to enquire into the doctrines of Grotius or Puffendorf as to the duties and rules that should govern belligerents. They only made war agreeably to the ancient practice and habit of their tribe. The same thing cannot be said in mitigation of the conduct of the Europeans. English and French alike adopted the Indian plan of scalping, and added to it a refinement unknown to the Indians, in giving a pecuniary recompense for the scalp of an enemy. This brought into active play one of the lowest, meanest, and most brutalizing features of humanity—a miserable avarice—a thirst of gain, to be acquired by cruelty, and spent most probably in the most degrading sensual pursuits. Nothing could be calculated to lower and disfigure the character of the soldier more, than this appeal to his selfishness and his basest appetites. While, however, we pass in review the acts of those who dwelt in our country a century ago, let us not for a moment suppose that the harsh proceedings of that day which jar upon our sensitive modern nerves have become obsolete. Many occurrences in the wars which sprang out of the French revolution —of the American war of independance—of that of the Crimea, and more especially the destruction of property and homes, and other cruel incidents, which the recent civil war in the United States produced, and the recent contests in China, New Zealand and Jamaica, are distinct proofs that, however men fancy they have improved and become pacific and humane, there is still ample room left for the destructive and cruel part of our nature to develope itself. In disapproving, therefore, as we occasionally may, of the line of conduct pursued by our forefathers and their contemporaries—weighing their actions coolly at a distance from the excitement and

tumult in which they lived, we may rightly say this was just and that was indefensible; but we must always bear in mind that the same passions of the heart, and impulses or errors of the understanding, that may have occasionally caused them to pass beyond the true line of demarcation between right and wrong, are equally close to us as causes of error and delusion.

On the 18 May, war was declared in a formal manner in London and Westminster against the French king. The "usurpations and encroachments made by" the "French" "upon" the English "territories and the settlements of" "British" subjects "in the West Indies and North America," "particularly in" the "province of Nova Scotia," were placed in the first paragraph of the declaration, dated Kensington, 17 May, as causes of the war. The French king's declaration of war was dated Versailles, 9 June.

In connection with the affairs of this continent, we may mention that Mr. William Johnson, a native of Ireland, the nephew of Sir Peter Warren, who had settled in the Western part of the state of New York, and was equally successful as a lawyer, a merchant and a soldier, was, in 1755, made a baronet. He possessed the confidence of extensive Indian tribes in that region. His victory 8 Sept'r., 1755, near lake George, over general Dieskau, obtained him this rank. [*See London magazine*, 1755, *p.* 550—1756, *p.* 432.]

(A son of the hon. Mr. Morris had received a commission in the 45th. regiment from general Shirley. This young man died 22 May, 1756, and lieut. governor Lawrence, 29 May, requests general Shirley to grant the vacant commission to Alexander Morris, a brother of the deceased officer, stating that Mr. Morris, the father, was very deserving, and had been warmly recommended to him, Lawrence, by Shirley, and made a councillor in consequence.)

The four governments of New England, and that of New York, had agreed to raise forces to attack Crown Point. By the last of May they had assembled eight thousand men for this purpose, at Albany, thirteen hundred of whom were furnished by the province of New York; and as men were continually joining, they reckoned on the total number soon

reaching 9000. The English regiments, 44th. 48th. 50th. and 51st.—three independant companies, and the Jersey provincials, were destined for the campaign on lake Ontario, and mostly marched for Oswego, thence to be carried over in 200 whale boats, which were then at the lakes. They were to attack fort Frontenac, and other French posts on the lakes. Upwards of 2000 batteau men were employed to navigate the *batteaux*, each one ton burthen, loaded with provisions and stores. They were to proceed from Albany up the Mohawk river, then through Oneyda lake and river, down to Oswego. Three hundred sailors were hired and sent up from New York to Oswego to navigate four armed vessels on the lake, built the year before, of 150 tons each, and two more were building. This little army was about 3600 men, not including officers. Pennsylvania had voted £100,000, and raised 1500 men, but they were acting only on the defensive. Maryland had voted £40,000, and Virginia £45,000. This activity and zeal in the provinces was undoubtedly owing to the skill and perseverance of general Shirley, the governor of New England, a gentleman who displayed the highest administrative ability in both civil and military affairs; and though he had no opportunities of distinguishing himself in the field, yet, by his prudence, forethought and perseverance, effected as much, if not more, for the preservation of our colonies and the extension of British dominion on the continent, than any other person in the service of the crown in those times.

15 June. The governor and council, at the request of colonel Sutherland, authorized the erection of a block-house at Lahéve river, and of another half way between that and Mushamush, at which latter place a private one had been already erected, (probably that of Ephraim Cook.) Rations were granted to such of the Germans as would occupy these posts. Mushamush, I believe, is the charming little village and harbor called formerly Mahone bay, and lately named Kinburn. 22 June. Twenty-nine French prisoners, taken on board the Pontchartrain, were confined on George's island. The names seem to be all German.

In the spring of this year many of the Acadian families

who had fled, found their way in vessels from Miramichi to Quebec, and those who remained in Nova Scotia caused a memorial to be presented in July to M. de Vaudreuil, in the following terms: 'The inhabitants of all Acadie, repre-'sented by their deputies, have the honor to expose to you 'their melancholy fate, and that into which they are ready to 'fall, if you do not hold out the hand of succor. Can you, my 'lord, fail to feel affected by their lot, scattered here and there, 'persecuted by the English, deprived of all asylum, it seems as 'if nature regards them only as the object of public vengeance. 'They beg you to observe that the sole cause of their misery 'is their exclusive attachment to France, and their character 'of subjects of that crown, which the English have been unable 'to constrain them to renounce. Brought up by their fathers 'in uniform sentiments of attachment to their king, whose 'kindnesses they have, on different occasions, experienced, 'can they, without failing in duty to their religion and to them-'selves, give in to the terms exacted of them, especially at a 'time when France in arms takes openly the part of avenging 'them. The inhabitants of Mines, those of Beaubassin, those 'of the rivers, are either straying in the woods or prisoners in 'the hands of the English. It is a rare thing to find a family 'actually reassembled, and there remains for those who are 'collected together only the desire of revenging themselves. It 'depends on yourself alone to put arms in their hands, but of 'favor grant them provisions, so that, all united together, they 'may place themselves under the laws of a king who becomes 'dearer to them by the visible protection with which he honors 'them. Do not their actual misery, that which they have done, 'and their constant refusal to obey the English, speak in their 'favor? and do they not destroy the bad impressions that some 'persons have tried to give you against them in the business of 'Beauséjour? Observe, my lord, their perplexity at that criti-'cal period: alternately intimidated and caressed by an English 'army superior to the French forces, they dared neither to act 'or speak. Besides, why were they not led against the enemy? 'It is true they were not inured to war. Your petitioners, to 'the number of 3500, have retired to Miramichi, because they

'think it the only place where families may more easily reassem-
'ble, and where they may subsist better by aid of the fishery.
'For this reason they beg for provisions; but as in this critical
'time it does not seem possible to send provisions sufficient for
'so many people, they pray you will give them plenty of pease
'and beans, and a very little of flour and meal, as the fishery
'and chase will help them much. My lord, the inhabitants only
'insist on staying at Miramichi, as they foresee the removal of
'such a number of people this year is almost impossible, and
'their settling here will be advantageous to Canada; but they
'would apprize you that the Micmacs are very bad neighbours,
'although directed by M. de Ménac, *(the priest elsewhere called*
'Manach.) They destroy everything. On this account they
'beg you will send to Miramichi a person of probity,' *(hard to find at that time in Quebec, if the stories against Bigot, &c., are to be credited)*, 'who can make a just distribution of provisions,
'as they do not wish to have any business with this missionary.
'M. de Boishébert has promised to stop with them, but on con-
'dition that he shall not have anything to do with these Indians.
'If provisions were sent to these Micmacs, or they were sent
'elsewhere, the French would not be injured more than the
'English have been by them, as thieving and idling are their
'characteristics.' They concluded their memorials by praying that no difference should be made between them and the other subjects of the king of France.

Père de la Corne, a Récollet, had been the predecessor of Ménac in this mission. He acquired the nickname *(soubriquet)* of *capitaine Jean Barthe.* (Barthe was a naval officer of great activity, who died in 1702.) La Corne was not only a clergyman, but also a merchant. He used to come to Quebec to sell his goods and take back returns. He owned and acted as master of a schooner employed in this business. When he had amassed a large sum of money, and on pretence of ill health left his mission, returned to France, where, by the use of money, he got rid of his convent and his vows, and became quite a lady's man. Ménac, his successor, had been missionary at *baie Verte* before the capture of Beauséjour, and subservient to le Loutre.

Brossard, called Beausoleil, fitted out a privateer in the bay of Fundy, and took some English vessels. Boishébert attacked the English in *baie Verte*—burnt a vessel of 200 tons they had on the stocks, and a schooner close by at anchor—killed seven Englishmen, and made one prisoner.

I am sensible that many of the details respecting the French inhabitants and the proceedings of French officers that I have introduced, are comparatively uninteresting to the English reader, who naturally feels a desire to hear of his ancestors of his own race and nation. It would, however, be a very defective history of Nova Scotia which omitted to give a distinct and clear view of the adventurers of 1605, and of all the French who were actively connected with Acadie from that time until the last remnant of their Empire, was abandoned in America by the peace of 1763.

On tuesday, 15 June, 1756, Robert Grant, esquire, by a *mandamus* from the king, was sworn in as a member of the council of Nova Scotia.

Governor Lawrence, having received information that many of the French inhabitants who had been removed the year before, had procured small vessels and embarked on board them, in order to return to Nova Scotia by coasting from colony to colony, and that several of them were actually on their way, addressed a circular letter to all the English governors on the continent, dated Halifax, 1 July, 1756, begging them to take measures to frustrate this design, by destroying any vessels prepared or in use for such a purpose, assuring them that the return of those people would be likely to prove fatal to his majesty's interest in this part of the world. On 7 July, Lawrence writes to colonel Webb, who had arrived at New York early in June, and taken command of the troops till lord Loudon should come out. He explains how short he is of men since the New England troops left, insomuch that he has been unable to send a detachment to drive the French from the upper post on the St. John, or to repair and garrison the fort at St. John harbor, at the mouth of the river, and shows him that he cannot spare a man. Lieut. governor Spencer Phips, of Massachusetts, published a proclamation for raising

forces to defend the colonies against the French, at the expence of the crown. The recruits were not to be obliged to serve out of North America, and to be free from their engagement when hostilities should cease. Each man was promised 300 acres of land in New York, New Hampshire, or Nova Scotia, at his choice. The irregulars of New England still in Nova Scotia were offered, if they would remain on duty there for six months longer, the choice of lands in *Nova Scotia*, New York, or New Hampshire, viz. : to a colonel, 1000 acres ; lieutenant colonel or major, 750 : captain, 500 ; lieutenant or ensign, 400 ; private soldier, 200.

26 July, the earl of Loudon, commander-in-chief, arrived at New York. John Campbell, 4th., earl of Loudon, baron Mauchlane, one of the sixteen peers of Scotland, and F. R. S., was born in the year 1705, and succeeded to the title on the death of his father Hugh, the 3rd. earl, in November, 1731. On the landing of the Pretender, in Scotland, in 1745, the earl of Loudon repaired to Inverness, where he raised for the crown a regiment of Highlanders, of which he was appointed colonel in April. On the approach of the enemy, however, he abandoned his position, and retired to the isle of Skye, without making scarcely any show of resistance, [*Smollett.*] He was elected one of the sixteen Scotch peers in four successive parliaments. His regiment having been broke in 1748, his lordship became colonel of the 30th. of foot, 1 November, 1749, major general on the 17 February, 1755, and on the 25 Dec'r., 1755, was appointed colonel of the 60th. or Royal American regiment, which was to be raised in Virginia, of which province he was appointed governor in February, 1756, when he also became commander-in-chief of all his majesty's forces in North America. He sailed in the latter end of May for this country, where he arrived in the latter part of July, 1756. His career in America was distinguished mainly by inefficiency, and his military operations confined principally to the celebrated "Cabbage planting expedition," at Halifax, 1757, so that, though promoted to the rank of lieutenant general in January, 1758, not only his military skill but his courage and integrity were questioned. It is, therefore, not surprising to

learn that "the multitude shouted at the news of his being recalled to England" in the course of the latter year. In 1763 or 1764 he was appointed governor of Edinburgh castle, at a salary of £300 a year, and on the 30 April, 1770, became colonel of a regiment of Foot guards, (Scotch), and a general in the army. His lordship died, unmarried, at Loudon castle, Ayrshire, on the 27 of April, 1782, aged 77 years. [*New York Documents, vol. 7, p.* 36.]

On the 3 July, a party of English, under colonel Bradstreet, who had left Oswego in batteaux, were attacked by the French force, viz.: 180 regulars, 400 Canadians, and over 100 Indians. The action lasted two hours, and the English had 60 or 70 killed and wounded, but claimed a victory.

The private ship Seaflower, (a sloop, Wm. Knox, master), was commissioned by the lieutenant governor to cruise on the Eastern coast, against the enemy.

Royal commissions were received, appointing Charles Lawrence captain general and governor in chief, and Robert Monckton lieutenant governor of Nova Scotia. The council being convened at the court house, in Halifax, on friday, 23 July, 1756, the commissions were publicly read, and Lawrence and Monckton sworn in. After which, messrs. Monckton, Belcher, Green, Collier, Cotterell, Grant, Morris and Willmott, were sworn in as councillors, the usual proclamation adopted requiring officers to continue. An address of congratulation from the council to his excellency was presented, to which he made a suitable reply.

Lieutenant governor Phips wrote to Mr. Lawrence, Boston, 23 July, 1756, that seven boats, with about ninety of the French Acadians, had coasted along shore from Georgia or South Carolina, and put into a harbor in Massachusetts. Phips had ordered the boats and people to be secured, and three or four of the latter to be sent on to Boston, to be examined. He complains that more of these people had been received and supported already by Massachusetts than their proportion; and in a subsequent letter, of 6 August, presses on Lawrence the claims of Massachusetts to be indemnified, (which the governor and council engaged to do, 16 Aug't.), and further

states that these people had a passport from the governors of Georgia, South Carolina, and New York. (Hon. Spencer Phips, lieutenant governor of New England, adopted son of Sir W. Phips, died in 1757.) Lawrence sent major Hale, of the 47th. regiment, to Louisbourg, with a letter, dated 2 Aug't., 1756, addressed to *le baron de Drucour*, governor of cape Breton, requesting the exchange of Mr. Martin, capt. lieut. of artillery, captured the autumn before by the Indians, under a French officer at Passamaquadie, where he had taken shelter from bad weather. Lawrence thinks that war had been declared, and requests Drucour to propose terms for a cartel of exchange of prisoners. The French man-of-war, the *Arc en Ciel*, M. Belingant, commander, had been brought in as prize to Halifax. The captain and officers are destitute of funds and credit, and Lawrence can only supply them with the ordinary rations for prisoners. He therefore suggests that Drucour should send them letters of credit, as they have requested him. 27 July, 1756. Commodore Holmes, in his own ship, the Grafton, with the Nottingham, and the Hornet and Jamaica, sloops, had an engagement with the French ships Heros, 74, Illustrious, 64, and two frigates, of 40 and 36 guns respectively, off Louisbourg. Holmes obliged the French to sheer off, and drove them back into Louisbourg harbour, whence they had come that morning.—In August, Lawrence was carrying on the works at George's island with all possible despatch. Lord Loudon had summoned all the governors of the British American colonies to meet him at New York this fall, and Lawrence gives this as a reason to the lords of trade why he postpones carrying into effect their order to call an assembly in the province.

The English had established a very strong post at Oswego, on the river Chouaguen, on the shores of lake Ontario. They had three forts there—old fort Oswego, fort Ontario, and fort George. It was a point for collection of military stores, from which they were to prepare detachments against the French posts at Niagara and Frontenac. In March, the French destroyed an English fort in this vicinity, and in June they captured some vessels there. The marquis de Montcalm

having with him a force of about 3000 men, (of whom 1300 were regulars), approached the English garrison cautiously, sending two vessels, one of twelve and the other of 16 guns, to cruise off Oswego, and posting a chain of Canadians and Indians on the road between Oswego and Albany, to intercept couriers. On the 10 August, his vanguard arrived at a creek within half a league of Oswego, and there erected a battery on lake Ontario. The 11th. and 12th. were employed in making gabions, saucissons, and fascines, and in cutting a road across the woods from the place of landing to the place where the trenches were to be opened. The second division arrived on the 12th. in the morning, with the artillery and provisions, which were immediately landed. Tho' dispositions were made for opening the trenches at night, it was midnight before they could begin the trench, which was rather a parallel of about 100 toises in front, and opened at a distance of 90 toises from the fossé of fort Ontario, in ground embarrassed with trunks of trees, &c.

This parallel being finished at five in the morning, the workmen began to erect the batteries. The fire of the enemy, which had been very hot from day break, ceased at six in the evening. They evacuated the fort, and retired across the river Oswego. Montcalm immediately took possession of fort Ontario, and ordered the communication of the parallel to be continued to the bank of the river, where, the beginning of the night, he began a grand battery, placed in such a manner that it could not only batter fort Oswego and the way from thence to fort George, but also the entrenchments of Oswego.

On the 14 August a body of Canadians and savages crossed the river, some by swimming, and others by wading, with the water up to their middles, in order to invest and attack the fort on the side of the woods. This bold action, by which the communication between the two forts was cut off—the celerity with which the works were carried on in ground that the English thought impracticable, and the fire of a battery of nine guns, forced the English to hang out a white flag.

By virtue of the capitulation, that garrison surrendered prisoners of war, and the French immediately took possession of

Oswego and Fort St. George, which they entirely destroyed, agreeably to their orders, after removing the artillery, warlike stores, and provisions. There were at Oswego seven armed ships, viz.: one of 18 guns, one of 14, one of 10, one of 8, and three others mounted with swivels, besides 200 batteaux of different sizes, the officers and crews of all which were included in the capitulation. The English had 152 men killed or wounded; colonel Mercer, the commander, is of the number of the former. The French, as they stated, had only one engineer, one Canadian, one soldier, and one gunner killed, and 20 slightly wounded. They made 1600 prisoners, including 80 officers. These are Shirley's and Pepperell's regiments, and a part of Schuyler's regiment of militia. They found in the forts 121 pieces of artillery, 55 of which are cannon of different bores, and 14 mortars, with a great quantity of ammunition and provision.

On the 9 August, war was publicly declared against France, at Halifax.—Two of the transports employed to carry off the French Acadians, had gone with them to the West Indies. The owner, capt. Cook, claimed freight, alleging that they had been obliged to take that course by stress of weather, and the papers being regular, the demand was paid.—In consequence of the fall of Oswego, it was determined by the governor and council, on 15 September, that the two small forts on the Isthmus be forthwith destroyed, and their garrisons placed in fort Cumberland, (Beauséjour.) Governor Lawrence writes to Mr. Fox, 3 October. He says the Indian and French inhabitants that are still lurking about in the woods never fail to fire upon parties sent out for the service of the forts, and a few men have been thus lost. The fall of Oswego put a stop to the enterprise against Crown point, which had been planned by Shirley, and was now expected to be carried on by his successor, lord Loudon.

The Acadians continued to get along the coasts of America towards their ancient homes; and besides those who had been detained at Boston, a second party were stopped in their progress through the province of New York. Lord Loudon at this time invited all the British governors of the continent to

an interview with him at New York, and Sir Charles Hardy, the governor there, invited Lawrence to stay with him, offering him an apartment in Fort George.—Sir William Shirley withdrew finally from Massachusetts in September, 1756—arrived in England 30 October, and was made governor of Bahamas. He returned in 1779 to Roxbury, Mass., being honorably poor, and died at that place in April, 1771. On the 26 October the governor and council decided to address commodore Holmes, and request him not to remove the squadron of the navy. The vessels under his command had from time to time visited *baie Verte* and St. John's river, and the French had not attempted to re-establish the old fort at the latter place. Fort Gaspereaux, in *baie Verte*, was burnt and evacuated on the 12 October.

In November, Lawrence had given up his intention of going to New York to meet lord Loudon. Chief justice Belcher had returned from a visit to New England—the session of the supreme court had terminated, and the governor and council were about to take into consideration the business of a house of representatives, as recommended to them. Lawrence apprehends great difficulties in this affair. He says he knows not of one instance wherein his majesty's subjects have been in the least molested in the enjoyment of their rights and liberties to the full extent under the present form of government. He, as governor, has endeavored to give satisfaction to every person. He cannot redress grievances of which he never was informed, nor conjecture reasons that the *petitioners* could state to shew the inconveniences they suffer for want of an assembly. Many who were forward to have an assembly in the time of his predecessor, Cornwallis, now seem to think it would at present serve only to create heats, animosities and disunion, when the enemy is at the door, and unanimity is essential to safety and defence. He suggests that there will be malevolent and ill-designing people under any government, who will misrepresent affairs from selfish views. He thinks the well disposed people here have no uneasy feeling under the present form of government, as they have never signified anything like it to him, and if any of them have joined in the

petition, that they have been led into it thro' inadvertency and the specious pretences of designing men.

Lawrence sent lieut. colonel Wilmot with 200 men, to fort Cumberland, to strengthen the garrison there. On the surrender of Beauséjour, there was no building of any consequence left standing, except one for officers' quarters, which was unroofed, and general repairs and alterations were required in the fortifications. Most of this repair, and the buildings required, (guard houses, store houses, hospital, magazine, &c.,) were completed by this time. The materials had to be brought from Boston and Halifax, and artificers from New England. The curtain, ditch, covert way, glacis and palissadoes, on the side of attack, were finished, and a gateway and drawbridge remained to be completed.

At this time, the sloop York, captain Cobb,
" schr. Monckton, Solomon Phips, master,
" snow Halifax, captain Taggart,
" sloop Ulysses, captain Rogers,
were in the employ of the provincial government.

APPENDIX TO CHAPTER XXI.

7. Pennsylvania Records, p. 239, &c.

At a council held at Philadelphia, Friday, 2 September, 1756 :—

" A petition was presented to the Governor, in Council, by the neutral French, which was read, in these words :—

To His Excellency William Denny, esquire, Governor of the province of Pennsylvania, &ca. &ca.

My Lord—

Inasmuch as your Excellency has been pleased to manifest to us all the goodness that we could desire, particularly in assuring us that we should not stand in want of any necessary, we apprehend at this time of pressing necessity, we cannot do better than to address ourselves to your Excellency.

" The honorable gentlemen to whose care you have committed us, have assured us that that money which, by charity, had been provided for our subsistance, was expended on our account. In the melancholy situation to which we are now reduced, we must inevitably perish, we and our unhappy families, except your Excellency gives orders to the contrary, which we beseech you will please to dc,

by giving orders that we may be maintained as prisoners ought to be: Nevertheless, as we doubt not but that we are a burthen to this Government, we beseech your Excellency would please to cause us to be carried in our own country, or that we be suffered to join our nation in the same manner which it has pleased his majesty, king George, (whom may God preserve), to cause us to be transported here contrary to our will.

"We have been told by several gentlemen that provisions were withheld from us, because we have refused to accept of several things which have been offered us, such as a Garden, a Cow, &ca. Its true we did refuse them, as we apprehended it was contrary to common right to oblige such prisoners as we are to take engagements against their wills, which, we must acknowledge to your Excellency, has appeared to us in some degree hard, inasmuch as Mr. Lawrence, Governor of Nova Scotia, assured us, before his Majesty's Council, that he took us prisoners of war in the same manner as the French were made prisoners, who had then been taken on board the Lys and the Alcide, two French vessels, which were taken by Admiral Boscawen; and Governor Lawrence further promised us, that we should be carried amongst our own people, (i. e. the French.) Notwithstanding if your Excellency cannot cause us to be transported to our country, we beseech that we may enjoy the same privilege which prisoners have always enjoyed, viz.,: to furnish us with what is necessary to keep us alive, and not to let us perish whilst we are detained here against our will. It is very hard for us, my lord, to see that substance taken from us which has been granted to us by his Majesty, paying him the customary dues, and which we have improved by the sweat of our brows; we say, my lord, its very hard to see ourselves deprived of this substance, notwithstanding the most solemn promises, and to find ourselves transported into strange lands, and there suffered to perish. We have been allowed by the Commissioners a pound of bread and half a pound of meat a person each day, but if this is wholly taken from us, we must inevitably perish if you do not help us.

"Many of us had yet a little money, but it is now expended, having been employ'd in such refreshments which were necessary for the better subsistance of our familys, so that we are ready to perish except assisted by your Excellency, or that at least you would be pleased to order that vessels suitable to our unhappy situation be provided, that so that we may be sent back either to our own country or to our country people. These are the sincere and ardent desires of those who are, with the deepest respect, my lord, your humble servants,

Pierre Doucet.	Joseph Tibaudo.
Pierre Melanson.	Philip Melanson.
Jean Doucet.	Charles le Blanc.
Pierre Aucoin.	Simon Babin.
Baptiste Tibaudo.	Pierre Landry.
Daniel le Blanc.	Paul Bourg.
St. Pierre Babin.	Pierre Babin.
Charles le Bruice.	Mathurin Landry.
Paul Bujauld.	Baptiste Babin.
Olivia Tibaudo.	Paul le Blanc.

"Then the governor informed the house that, at the instance of the Speaker and some members of the assembly, he had conferred with them on the claims

set forth in this petition, they having alledged in a petition of the same tenor to the assembly, that they were and ought to be treated as prisoners of war, and not as subjects of the king of England; and on reading Governor Lawrence's letter, which was delivered to the late Governor by the captains who imported them here, and the proceedings respecting those neutrals in Carolina, and the other Governments; and on considering the treaty of Utrecht in the articles of the cession and surrender of Nova Scotia, the Governor and Council were unanimously of opinion that they were subjects of Great Britain, and to be treated on that footing and no other; whereupon the Governor sent the following verbal message by the secretary to the speaker:

"The Governor directs me to inform the speaker and the committee that it is the unanimous opinion of the council and himself that the French prisoners should not be treated as prisoners of war. That he recommends it to the house to provide for them in such a manner as they shall think fit. That it might be better they should be more generally dispersed and settled as far from the frontier as possible.

"Governor Lawrence's letter is sent to shew the house under what circumstances the neutrals came here.

2d. September, 1756.

"In the conference with the members of assembly, the Governor was requested to recommend it to the assembly of Newcastle, to take and provide for a proper quota or part of these neutrals, and to pray the same of the Governor of Jersey, with respect to his assembly."

CHAPTER XXII.

1757. Mr. Belcher, the chief justice, had returned to the province, and took his seat in council, and the oaths, on 3 Dec'r., 1756. Governor Lawrence then laid before the board his correspondence with the lords of trade, concerning a house of representatives, and desired the advice of the council. They met and consulted, 3, 6, 8, 10, 21, 24, 29 and 30 of December, saturday, 1 January, 1757, and on monday, January 3, adopted resolutions on the subject. The governor, lieutenant governor Monckton, chief justice Belcher, and messrs. Green, Collier, Grant and Morris, were present at their meetings, but Lawrence was not present at that of 3 January. Their resolutions were in substance—

"That there shall be elected for the province at large, until the same shall be divided into counties, 12 members.

For the township of		Halifax,	4	"
"	"	Lunenburg,	2	"
"	"	Dartmouth,	1	"
"	"	Lawrence town,	1	"
"	"	Annapolis Royal,	1	"
"	"	Cumberland,	1	"
			22	"

This house, together with the governor or commander-in-chief for the time being, and H. M. council, to be stiled the General Assembly.

The bounds of the above named townships were pointed out. When 25 qualified electors shall be settled at Pisiquid, Minas, Cobequid, or any other townships which may hereafter be erected, each of the said townships so settled shall, for their encouragement, be entitled to send one representative to the General Assembly, and shall likewise have a right of voting in the election of representatives for the province at large.

That the house shall always consist of at least 16 members present, besides the speaker, before they enter upon business.

Members and voters must not be Popish recusants, nor under the age of 21 years, and must each have a freehold estate in the district they represent or vote for.

Voters, if required, must take the usual state oaths and the test: a qualification oath was also prescribed.

The governor is to issue a precept to the provost marshal or sheriff of the province, to summon the freeholders and hold the elections. The first precept to be made returnable within 60 days from its date."

The above are the chief features of the plan, but it contains several other regulations.

It is gratifying at this distance of time, over a century having elapsed, to notice the attention and care bestowed by the men of that day on the frame of a representative government. Every existing and prospective interest was cared for sedulously; local representation secured; the principles of English constitutional law guarded, especially in limiting the vote to those who had a direct connection with the land as freeholders; and an arrangement adopted for the expansion of the assembly as new townships and settlements should arise. The election of 12 members, being more than half of the whole number, by the settlers of the whole province, was something original and anomalous, but, doubtless, under all the circumstances, a wise measure. The light taxation—the great economy, and honest application of provincial revenue—the steady improvement in roads and bridges, and the integrity that have all been habitual in our public affairs, and which yet give our little province honor and distinction, as well as the general loyalty and union of our people down to the present

time, may be attributed justly to the serious deliberations of the governors and council of 1756–1757, and their desire to promote the welfare of the province. They laid an excellent foundation for a free government. The experience and sentiments of New England had, no doubt, much weight in their consultations. Mr. Belcher combined the Bostonian with the learned student of the Temple—the aristocratic feeling with a profound respect for the democratic element of British law. Messrs. Green and Morris were also from New England. Lawrence, Monckton and Collier, were English. Many changes and some improvements in our constitution have since been adopted. Religious prejudice has disappeared, and with it test oaths, and other barriers between neighbor and neighbor. The broad rule of universal suffrage has extended the responsibility of government to all the governed ; but after all our modifications, we must not forget that the elements of civil liberty were planted broad and deep amongst us by the men of the eighteenth century. As all human institutions and arrangements partake of the imperfections of man, we must not be surprised to find that, in representative governments, tumults, passion and party views occasionally disturb the working of the machinery—that popular excitements and restless demagogues sometimes induce doubts in the reflective mind of the real blessings of liberty ; while on the other hand, influence, private ambition and pitiful subserviency may give to a country with a free constitution the aspect of servility, sycophancy and slavery. But all these oscillations proceed from the people themselves, and not from any defect in the principles of free government. They also are evidently short-lived evils, and rarely last long enough to inflict a permanent injury on the constitution. Viewing the whole century in which the people of Nova Scotia have had a representative government, we may conclude that it has been a blessing, the value of which can hardly be overrated.

Our poor Acadians turn up again in Pennsylvania. We find 18 January, 1757, "A bill for binding out and settling such" "of the inhabitants of Nova Scotia, imported into this pro-" "vince, as are under age, and for maintaining the aged, sick"

"and maimed, at the charge of this province," passed into a law. Here we find these unfortunate beings, who had been living in comfort if not in affluence, exposed to the chill charities of the people of Philadelphia, and the children separated from the parents.

In February, Thomas Pownal, esq., governor of New Jersey, was made governor of Massachusetts, in the room of governor Shirley; colonel Charles Lawrence made colonel of the 60th. regiment, and colonels Hopson and Cornwallis made major generals.

Lord Loudon now laid a general embargo on all shipping from Virginia, New England, New York and Pennsylvania. [*London magazine*, 1757, *p.* 258.]

In March, a large force of French and Indians attacked fort William Henry, unsuccessfully.

In May, bounties were granted at Halifax for sowing land in grass,—for stone fences,—for raising grain or potatoes, on the peninsula of Halifax. 1s. per quintal for codfish, &c.—A destructive fire occurred in Halifax this spring. In May, Mr. Pernette contracted to make a road from Mush-a-Mush (now called Mahone bay or Kinburn) to Halifax, 50 miles in length and 10 feet wide, for £300.

In January, M. Boishébert, with a few French soldiers and 1500 Acadians, were at Miramichi. He was aided greatly by pere Germain, a Jesuit. This priest, the reverend Charles Germain, was a missionary among the Abenakis, on the river St. John, as early as 1745. He was at Beaubassin in 1746, and also in 1756. He removed to Miramichi, where he was in 1757 and 1758, and finally retired to St. Francis, in Lower Canada, where he died 5 Aug., 1779. [*New York Col. Doc's.*, *p.* 547, *&c.*, *v.* 10.]

In April, admiral Holborn sailed for America, with a large squadron, 11 ships of the line, 50 transports with 6200 soldiers, who were commanded by general Hopson.

On the 30 June, lord Loudon, with transports from New York, arrived at Halifax. At Louisbourg there were at that time eighteen French men-of-war. They were thus confident of safety. M. Dubois de la Mothe was there in command;

also the chevalier de Grasse, (afterwards count and marquis de Grasse Tilly.) On 9 July, admiral Holburne, with the fleet and transports under his command, arrived at Halifax. 16 July lord Loudon had complained that fever was spreading among his troops from the rum sold them by unlicensed retailers, and the governor and council ordered all liquors held by merchants and traders to be secured in the king's stores without delay.

In July, a detachment of 350 English, from fort William Henry, went out to attack the French advanced guard at Ticonderoga, but they were surprised on their way, at lake George. 160 were killed or wounded, and most of the remainder made prisoners. The English took about thirty men in another skirmish previously. On 2 August, Montcalm besieged the fort, with 5500 French and Canadians and 1806 Indians. The garrison were 2400 strong, under col. Monroe. On the 9 August the garrison capitulated, obtaining the honors of war. 13 were killed and 40 wounded of the French, and 41 killed and 71 wounded of the English. The garrison were to go to the English fort Edward, and not to serve in this war for 18 months. [10 *N. York Doc's., pp.* 621–625.] After the surrender, the Indians attacked the English, killing about 20 men, and carrying off many.

When admiral Holborne got to Halifax in July, the troops were landed to refresh themselves. Several small vessels from Louisbourg brought information that the French there were superior in ships, and nearly equal in troops. The councils of war held here fluctuated much in their plans, as they believed or doubted the reports of the vessels and of deserters from the French. At length it was determined to try the event, and 12000 men had been already embarked, when letters, that had been found in a captured French packet bound from Louisbourg to France, disclosed the facts that there were there 6000 regular troops, 3000 inhabitants and 1300 Indians, in all 10,300, with 15 men of war, of which 3 were 84's, 6 were 74's, 8 64's, one 50, and 3 frigates. The English fleet had but 15 sail of the line, and one vessel of 50 guns, few of which were equal to the French vessels in guns, weight of shot, or number of men. On this the expedition was abandoned.

Lord Loudon garrisoned Halifax with three battalions, and sent two to the bay of Fundy. He then sailed for New York on 16 August, with the rest of his troops, with the professed view of protecting the frontier, but before he got there fort William Henry had surrendered. Admiral Holborne sailed on the same day, and arrived 20 August, off Louisbourg, and finding the French fleet there superior, and disposed to attack him, he returned to Halifax. Having been joined by two ships of 70 guns, and two of 60, he sailed 11 Sept'r. for Louisbourg again, but found the French naval force was undiminished, and continued to cruise for some time in that direction until the 24 September, when, being about ten leagues South of Louisbourg, a terrible storm damaged and dispersed his fleet. Eight got safe to Portsmouth, with the exception of one missing and two wrecked ; the rest got to New York, much damaged. The French of cape Breton saved the lives of 200 men of the Salisbury. Three of the French men-of-war were driven from their moorings by this storm, (which lasted 14 hours), in Louisbourg harbor.

25 August, it was resolved to withdraw the soldiers from Lawrencetown, and the settlers left it also, owing to constant apprehension of the enemy. In September, Jonathan Belcher, governor of New Jersey, formerly governor of Massachusetts from 1730 to 1741, and father of chief justice Belcher of Nova Scotia, died at Elizabethtown, N. J.—The small pox prevailed at Halifax in this month.—In Virginia, many persons were killed and others carried off from Cedar and Stony creeks. Some of the murders took place within thirteen miles of lord Fairfax's house. 28 Sept'r., hon. Robert Monckton was made colonel of the 60th. regiment. Governor Lawrence was sent, by order of lord Loudon, to the bay of Fundy, to relieve the garrisons and put them in good order, and lieutenant governor Monckton administered the government in his absence, in Sept. and Oct. Lord Loudon had left at Halifax for that place and for Lunenburg the three regiments formerly there, also the Royals. Bragg's regiment to be posted at Chignecto, and Kennedy's regiment at Annapolis and Piziquid. In October, 17 French ships of the line still continued to ride at anchor

in Louisbourg harbor until the end of the month, when they all sailed, except two ships of the line and one frigate. On the 1 November Lawrence got back to Halifax.

The successes of the French on lake Ontario, and their heavy armament at Louisbourg, had paralysed the English military power on this continent. The projected enterprises against Canada had been tacitly abandoned, and the movements of lord Loudon's forces carried dismay, not among the enemy, but among our own colonists. Apprehensions of attack prevailed everywhere in this province. Fears for the safety of Halifax, and the security of the other armed posts, were dominant. Lawrencetown, we have already noted, was abandoned. At Lunenburg the settlers were compelled to do much militia duty, and this, together with the scanty crops that a remarkably dry, hot season suffered them to gather, left them still dependant on supplies of government provisions for subsistence, although in 1756 a party of 50 (fifty militia, who went from Mush-a-Mush, inland) had captured 60 or 100 French cattle at Mines. Governor Lawrence commends their industry in the highest terms. In his letter to the lords of trade, of 9 November, he says that the addition of the three regiments make the demand for fuel so great that it was found impracticable to get wood sufficient, most of the laboring people having taken to privateering, (there were 39 privateers at this time belonging to New York alone), and he was under the necessity, though against the former orders of their lordships, to open the coal mines near Chignecto, without doing which, the three garrisons in the bay of Fundy, having a considerable force, would have been rendered untenable in the winter. Proposes to have these mines worked in future, 'as the price of fuel is' 'now grown to such an enormous height,' much saving would arise in supplying the troops. Explains that cutting firewood does not promote cultivation, or add to the value of the land. Lawrence had been to Boston, and found parties in New York were planning a settlement at cape Sable, but now had dropped the project, as the attack on Louisbourg not taking place created fear. From his knowledge of Chignecto, and the bay of Fundy in general, he says at least 20,000 families might be

commodiously settled in the districts of Chignecto, Cobequid, Piziquid, Mines and Annapolis; and if peace were restored, substantial and useful settlers would flock hither from every part of the American continent. The people of cape Cod are very desirous to settle at cape Sable. He has no personal knowledge of the place, but believes it may be suitable for a flourishing fishery. He then refers to the affair of calling an assembly as a question of great importance, but which has embarrassed him more than any other. The state of the times and the unpeopled condition of the evacuated settlements, "the most knowing—the most substantial, and the truest well "wishers of the colony," see objections to its present adoption. When he was among the people of New England last winter, he took every occasion of discovering their sentiments on this subject, as it had been reported that it was principally owing to the want of a house of representatives that the evacuated lands were not already settled. This idea, he found, had no foundation. On the contrary, they thought it chimerical to call a house of representatives under existing circumstances. After further reasoning against this measnre, he says that the military duties, &c., had made it impossible during the past year; but if their lordships direct him now to go on with it, he will at once execute the plan formed for that purpose last winter. "I am this moment informed by admiral Holburne, that he proposes to take his departure for England in a few days time, and to leave eight ships, the remainder of his squadron to winter here for the protection of the colony."

In December, 1757, major general James Abercrombie was made commander-in-chief in North America, and colonel-in-chief of the Royal American regiment, consisting of four battalions, of 1000 men each. Lord viscount Howe, Edward Whitmore and Charles Lawrence, were made brigadier generals in America only; and John Bradstreet, deputy quarter master general.

CHAPTER XXIII.

1758. When the earl of Loudon left Halifax, the military command in this province devolved on major-general Hopson. Several colonial promotions occurred in January, 1758. Lord Loudon was made a lieutenant general; Paul Mascarene and William Whitemore, majors general; George Haldane, governor of Jamaica; Francis Bernard, of New Jersey; Francis Fauquier, lieut. governor of Virginia; Thomas Hutchinson, lieut. governor of Massachusetts, and Robert Monckton, lieut. colonel commandant of the Royal American regiment.

On the 2 January, some arms having been stolen from the army and secreted at Halifax, governor Lawrence issued a warrant to William Foy, esq., the provost marshal of the province, to search for them. On the 4 February, major general Hopson complained that a secret and treasonable correspondence was carried on between some people in Halifax and the French at Louisbourg, and that the house of one Thos. Poor, in Halifax, and its dwellers, were suspected of this, and of furnishing intelligence to the enemy. Lawrence gave his warrant directing Foy, the provost marshal, to enter Poor's house at 10, P. M., that evening—to arrest all persons found there, seize papers, open locks, &c. We find no trace of further results of this affair; and 22 March, lieut. governor Monckton writes to the right hon. William Pitt that everything remains in a state of tranquillity in this province. Not long after, the people of Lunenburg were much alarmed by movements of the Indians, and the farm settlers there requested the aid of government in

putting up block-houses between every ten families for additional security, by finding them boards and nails only. This request was granted by the lieutenant governor and council, saturday, 22 April. At the same meeting a demand from the government of Massachusetts, for £394 16s. 8½d., Mass. currency, "expended by them for supporting a number of the" "French neutrals, who had coasted it thither from the South-" "ern colonies," was advised to be paid.

M. Beaussier had sailed from Brest, for Louisbourg, with 5 men-of-war and 16 transports, with 1270 soldiers, and great quantities of ammunition and provisions.

On monday, 8 May, a fleet arrived at Halifax from England, commanded by the hon. Edward Boscawen, who had been appointed admiral of the blue in February, under whom was Sir Charles Hardy, knight, made at the same time vice admiral of the white. There were many ships of war and transports. This armament was destined to besiege Louisbourg. Amherst was to be the military chief. 15 May, captain Fesch, 3 batt. Royals, was sent with a detachment to Lunenburg, to relieve captain Sutherland and the troops there.

In the midst of all the hurry and excitement of the war, the preparatory measures for our representative assembly were adopted. On the 20 May, 1758, saturday, a council was held in Halifax, at the governor's house, at which there were in attendance the governor, Lawrence, the lieut. gov'r. Monckton, Jonathan Belcher, John Collier, Montagu Wilmot, Benj. Green, Robert Grant and Charles Morris. The settlers at Lunenburg had suffered much from the enemy recently, by the interruption of their industry, and some of them were killed and others taken prisoners. An order was made to purchase out of the prizes in the harbor, or otherwise, 50,000 lb. pork, 14,000 lb. beef, and 136,000 lb. flour, for their use, and besides to give them rations of flour until July, 1759. The governor communicated to the council a letter of the board of trade, dated 7 Feb'y., 1758, approving, with some alterations, of the plan adopted by the council 3 Jan'y., 1757, respecting the General Assembly, on which the governor and council came to the following resolutions:

"That a house of representatives of the inhabitants of this province be the Civil Legislature thereof, in conjunction with H. M. governor or commander-in-chief for the time being, and his majesty's council of the said province."

"The first House to be elected and convened in the following manner, and to be stiled the General Assembly, viz.:

"That there shall be elected for the province at large, until "the same shall be divided into counties, sixteen members; "for the township of Halifax, four; for the township of Lunen- "burg, two."

"That until the said townships can be more particularly "described, the limits thereof shall be deemed to be as follows, viz.:

"That the township of Halifax comprehend all the lands "lying southerly of a line extending from the westernmost "head of Bedford Bason across to the northeasterly head of "St. Margaret's Bay, with all the islands nearest to the said "lands, together with the islands called Cornwallis's, Webb's, "and Rous's islands."

"That the township of Lunenburg comprehend all the lands "lying between Lahave river and the Easternmost head of "Mahone Bay, with all the islands within said Bay, and all the "islands within Mirliguash bay, and those islands lying to the "Southward of the above limits."

"That when fifty qualified electors shall be settled at Pisi- "quid, Mines, Cobequid, or any other townships which may "hereafter be erected, each of the said townships so settled "shall, for their encouragement, be entitled to send two repre- "sentatives to the General Assembly, and shall likewise have "a right of voting in the election of representatives for the "province at large."

"That the house shall always consist of at least eleven "members present, besides the speaker, before they enter "upon business."

"That no person shall be chosen as a member of the said "house, or shall have a right of voting in the election of any "member of the said house, who shall be a Popish recusant, or "shall be under the age of twenty-one years, or who shall not,

"at the time of such election, be possessed, in his own right, "of a freehold estate within the district for which he shall be "elected, or shall so vote; nor shall any elector have more "than one vote for each member to be chosen for the province "at large, or for any township, and that each freeholder pre-"sent at such election, and giving his vote for one member for "the province at large, shall be obliged to vote also for the "other fifteen."

There were several other regulations, among which are that the electors, if required, are to take "the usual state oaths," "and declare and subscribe the test;" and a qualification oath is prescribed, in which the possession of a freehold, a negation of bribery, &c., are contained.

The provost marshal or sheriff of the province is to hold the election, giving 20 days previous notice.

The precept is to be made returnable on the 2nd. October next. The election for each township is to last two days, and that for the province at large four days.

In case of two months' absence of a member from the province, the governor may, if he think necessary, issue a writ to choose another in his place.

The council give as a reason for the late date of convening the first assembly, that the governor and lieutenant governor were both immediately to leave the province to go on the expedition against Louisburg, and that the time appointed will be more convenient for the inhabitants than at present.

A question was made by messrs. Green and Belcher, as to which of them were entitled to administer the government in the absence of the governor and lieutenant governor, Mr. Green claiming under H. M. instructions as the eldest resident councillor. They desired the decision of his excellency and the council, and retired. It was decided that Mr. Belcher had the right. On the 22 May, governor Lawrence wrote to the lords of trade, that general Amherst had not yet arrived here, and brigadier Whitmore had committed to him entirely the conduct of the preparations necessary for the expedition. That he, with the council, had corrected the former plan for calling an assembly, in the particulars their lordships had pointed out

for amendment, and that he had issued a writ for convening an assembly on the 2nd October next. He has left their directions as to settling the vacated lands to be considered by the council in his absence. The colliery cannot be undertaken now, as troops will be wanting to protect the workmen.

Boscawen's Fleet, now at Halifax, (May, 1758.)

Namur,	90,	admiral Boscawen,	Capt. Buckle.
Royal William,	84,	v. admiral Hardy,	Evans.
Princess Amelia,	80,	com'dore. Ph. Durell,	Bray.
Dublin,	74,		Rodney,
Terrible,	74,		Collins.
Northumberland,	70,		Lord Colville,
Vanguard,	70,		Swanton.
Oxford,	70,		Spry.
Burford,	70,		Gambier.
Somerset,	70,		Hughes.
Lancaster,	70,		Hon. G. Edgcumb.
Devonshire,	66,		Gordon.
Bedford,	64,		Fowke,
Captain,	64,		Amherst,
Prince Frederick,	64,		Man.
Pembroke,	60,		Simcoe.
Kingston,	60,		Parry.
York,	60,		Pigot.
Prince of Orange,	60,		Ferguson.
Defiance,	60,		Baird.
Nottingham,	60,		Marshall.
Centurion,	54,		Mantell.
Sutherland,	50,		Rous.

Being 23 ships of the line. There were also 18 frigates, viz.: the Juno, Diana, Boreas, Trent, Grammont, Shannon, Hind, Port Mahon, Nightingale, Kennington, Squirrell, Beaver, Hunter, Scarborough, Hawke, Etna, Lightning, Tyloe. The whole fleet, including probably a hundred transports, amounted

when they left Halifax, to one hundred and fifty-seven vessels of all descriptions.

The soldiers under general Jeffery Amherst, with whom were Wolfe, Lawrence, &c., were 11,936 foot, and 324 of the train of artillery,—total, 12,260. We have no official list of the regiments employed, but from the return of killed and wounded officers, and other sources, we find that there were all or portions of the 1st Royals, 17th Forbes', 28th Bragg's, 35th Otway's, 40th Hopson's, 48th Webb's, 58th Anstruther's, 45th Warburton's, 63rd Fraser's Highlanders, besides the regiments of 47th Lascelles, Amherst, 60th Monckton's Royal American, Whitmore's, five companies of Rangers, and some artillery.

The forces defending Louisbourg were:—*Naval:* President, 74; Entreprenant, 74; Capricieux, 64; Celebre, 64; Bienfaisant, 64; Apollon, 50; Diana, 36; Echo, 26; and three frigates, the Chevre, Biche and Fidelle. *Land forces:* 24 companies of the marine, and 2 companies artillery; 2nd battalion Volontaires Etrangers; 2nd batt. regiment of Cambise; 2nd batt. regiment of Artois; 2nd batt. regiment of Bourgogne. The soldiers were over 3000 in number. There were also about 700 Canadians.

On Sunday, the 28 May, admiral Boscawen set sail from Halifax with the fleet and troops, and general Amherst met them coming out of the harbor, colonel Monckton being left in command at Halifax. Bragg's regiment from the bay of Fundy joined the expedition in a number of sloops the same day. The English were actuated to more ardor than ever, by the desire to wipe off the supposed disgrace of the taking of Minorca by the French not long before. On 2 June, friday, the fleet, with about a third of the troops, anchored in Gabarus bay. Most of the transports got in the next day, but the surf and the fogs made a landing quite impracticable until tuesday, 8 June. Before break of day, the troops were assembled in the boats in three divisions. About sunrise, the Kennington and Halifax snow, on the left, near Kennington cove, began to fire, followed by the Grammont, Diana and Shannon, frigates, in the centre, and the Sutherland and Squirrel on the right,

near White point. When the fire had continued about a quarter of an hour, the boats upon the left rowed into shore, under the command of brigadier general James Wolfe, whose detachment was composed of the four eldest companies of grenadiers, followed by the light infantry, (a corps of 550 men, chosen as marksmen from the different regiments to serve as irregulars under command of major Scott, major of brigade. They were dressed some in blue, some in green jackets and drawers, for the easier brushing through the woods, with ruffs of black bear skin round their necks, their beard let grow on their upper lips; they wore little round hats like seamen, and carried each a fusil, cartouch box and powder horn.) Then came the companies of Rangers, supported by the Highland regiment, and those by the eight remaining companies of grenadiers. Lieutenants Brown and Hopkins, and ensign Grant, with about one hundred light infantry, gained the shore, over almost impracticable rocks and steeps, to the right of the cove. General Wolfe, on this, directed the remainder of his command to push on shore. Light infantry, Highlanders and grenadiers rushed on intermixed. Twenty-two grenadiers were drowned by their boats being stove. Among the foremost was Wolfe, who jumped out of his boat into the surf, under a heavy fire of the enemy. The division on the right, under the command of brigadier general Whitmore, consisted of the Royals, Lascelles, Monckton's, Forbes', Anstruther's and Webb's. They rowed to the right by the White point, *(cap Blanc)*, as if intending to force a landing there. The centre division, under brigadier general Lawrence, was formed of the regiments of Amherst, Hopson, Otway, Whitmore, Lawrence and Warburton. This division at the same time made a shew of landing at the Freshwater cove, near Flat point. The enemy's attention was thus drawn to every part, and his troops posted along the coast were prevented from joining those on their right. The enemy acted very wisely. They did not throw away a shot, but when the boats were near in shore, directed the whole fire of their cannon and musketry upon them. General Wolfe having landed just at the left of the cove, took post, attacked the enemy, and forced

them to retreat. Many boats overset—several broke to pieces, and all the men jumped into the water to get on shore. As soon as the left division was landed, the first detachments of the centre division rowed at a proper time to the left and followed—then the remainder of the centre division as fast as the boats could fetch them from the ships, and the right division followed the centre in like manner. It took a great deal of time to land the troops.

Amherst tells Mr. Pitt, then secretary of state, that the enemy's retreat was through the roughest and worst ground he ever saw, and the pursuit ended with a cannonading from the town, which was so far of use that it pointed out how near he could encamp to invest it. After this the regiments marched to their grounds and lay on their arms. The wind increased so that the English could not bring anything on shore.—On this occasion the English loss was, in killed, 4 officers, 5 non-commissioned, and 41 privates; in wounded, 5 officers, 3 non-commissioned, and 52 privates,—one man missing;—in all, 111 killed, wounded and missing. On the French side, 4 officers and about 70 men were made prisoners; an officer, an Indian chief, and several men, were killed. The French commander in the cove was colonel St. Julien. The English, on this occasion, captured three 24-lb. guns, seven 6-pounders, two mortars, fourteen swivels, and a furnace for red-hot balls, all of which had been placed along the shore to prevent their landing,—with ammunition, tools and stores of all kinds. Soon after, the garrison took the seasonable precaution of setting fire to the barracks at the Grand battery, which they had before dismantled and ruined, and of destroying all their outbuildings in one general conflagration, which made a prodigious blaze all that afternoon and a great part of the night, and left nothing standing within two miles of the town walls but the towers at the Grand battery and some chimnies and gable ends of their wretched hovels. The French also destroyed the Light-house battery, leaving there only four cannon spiked.

Bragg's (the 28th) regiment had been ordered on the 7th, in the sloops that brought them from the bay of Fundy, to sail, under convoy, past the mouth of the harbor to Lorembec.

Artillery, intended to be used at the Light-house point, went with them. They were directed to make all the show they could of landing, but not to land till further orders, the intention being to draw the enemy's attention to that side. On the 9 June they returned. Some tents were got on shore, and on the 11th some artillery stores and eight 6-pounders. On the same day a serjeant major and four men of Fischer's regiment Volontaires Etrangers, deserted to the English. On monday, June 12, Wolfe marched round with 1200 men to the Light-house point, (while guns, &c., were sent thither by water), and took possession of the ground and other outposts which the French had abandoned. Amherst commenced three redoubts in front of his camp. A party of French came out, but were repulsed by the Light infantry, the French losing 5 killed and having 40 wounded in the skirmish. 14th. The French cannonaded the besiegers. The weather was bad, and the fleet under Hardy was in the night blown off to sea. Four mortars were sent in a sloop to the Light-house battery, and on 17th two more mortars and three royals. Amherst says on the 17th, (saturday), I got colonel Bastide on horseback, and with colonel Williamson and major McKellar, we reconnoitred the whole ground as far as we could. 19th. The Echo, a French frigate of 32 guns, had gone out of the harbor on the night of the 13th, bound to Quebec, but was taken by the Juno and Scarborough, and now brought in as prize. On the 20th, the Island and ships began to fire at the batteries on shore. The bad weather delayed the English much in landing provisions and cannon. The plan of the besiegers, as suggested by colonel Bastide, engineer, was to make their approaches by Green hill —to connect the camp with the Light-house battery by a road, redoubts, block-house, &c., in rear of the town, and to use the Light-house battery in the destruction of the ships in the harbor and in silencing the Island battery. On the 23, colonel Messervé, and most of the carpenters under his command, were taken ill with the small pox, which was esteemed a very great loss to the English army. An *épaulement* was made to Green hill of ¼ mile long, 60 feet wide and 9 feet deep, consisting of gabions, fascines and earth. The Light-house battery

now began to fire with success upon the Island battery, and on the 25th, (sunday), the Island battery was silenced; their own fire had helped to break down part of their works. Cannonading continued, without any great result, and the English gradually strengthening their batteries and approaches towards the West gate. Wolfe continued at the Light-house battery. On wednesday, 28 June, colonel Messervé and his son both died. Of his company of 108 carpenters, all but 16 were suffering under the small pox. The 16 acted as nurses to their sick comrades. On the 29th, the English were all working on the road they had planned. The French now sunk four vessels in the mouth of the harbor: the Apollon, a two-decker; the Fidele, of 36 guns; La Chévre and La Biche, of 16 guns each, cutting off most of their masts. July 1, (saturday), a French party, who went out to get wood and palissades, were driven in by Wolfe and major Scott's light infantry; 2nd, the French continued their cannonade, and sent out parties to skirmish; and on the 3rd, their cannonade was heavy. At this time Wolfe was busy making an advanced work on his right to bear on the citadel bastion. On the 6th, the besieged sent out a sloop with flag of truce to Sir Charles Hardy, with articles for their wounded, who were prisoners. Amherst says: "The many difficulties of landing everything, in almost" "a continual surf—the making of roads—draining and pas-" "sing of bogs, and putting ourselves under cover, render our" "approach to the place much longer than I could wish." On the 8th, colonel Bastide got a contusion by a musket ball in the boot, which laid him up in the gout. On the night of the 9th July, (sunday), five picquets of the French, supported by 600 men, under lieut. colonel Marin, of the regiment of Bourgogne, made a sortie on the part of the English lines where Lawrence commanded. They came from Cap Noir; and although the party of the besieged were drunk, they surprized a company of the grenadiers of the 17th, Forbes', commanded by lord Dundonald, who were posted in a *fléche* on the right. Major Murray sent a company, who easily drove them back. Lord Dundonald was killed; lieutenant Tew, wounded and made prisoner; captain Bontein, engineer, prisoner; a corpo-

ral and 3 men killed, 17 men wounded, and a serjeant and eleven men missing. On the French side, the chevalier de Chauvelin, captain, and 17 men, were killed ; a lieutenant, Jarnacle, and 4 men, wounded and made prisoners ; besides the wounded they carried back to the town, one of whom, a captain, Garseneau, of the colony troops, died immediately. The operations on both sides continued, the French cannonading without much damage to the besiegers, who were more hindered by the weather and the disadvantages of the ground on which their camp was pitched. On 15 July, (saturday), the French frigate Arethuse went out, and Sir Charles Hardy's fleet got under sail and to sea, and on that night 100 French came from Miré, where M. Boishébert had a party of 300, and engaged capt. Sutherland's men, but were repulsed.

On sunday, 16th, Wolfe pushed on a corps, and made a lodgment within a quarter of a mile of the West gate. On the 21st, owing to an accidental explosion of powder, three French ships, viz., the Entreprenant, Capricieux, and Superbe, were burnt, leaving them only two, the Prudent and Bienfaisant. The forts of the besieged, and the various batteries raised by the besiegers, were daily at work, cannonading. On the 25th July, a party from the fleet, of 600, under captains Laforey and Balfour, went into the harbor—burned the Prudent, which was aground, and towed off the Bienfaisant to the N. E. harbor.

By this time, Wednesday, 26 July, all the French batteries were in a ruinous state. They had hardly a dozen cannon left in a condition to be used. A practicable breach had been effected in the walls. All their men-of-war were destroyed or captured. Two Spanish ships, bringing succor, had been taken, and there was no appearance or expectation of relief from any quarter. Under these depressing circumstances, the inhabitants of Louisbourg petitioned M. Drucour to surrender, and sent their request to him by the intendant, M. Prevost. Articles of capitulation were then agreed upon, the English troops remaining that night in the trenches as usual. On the 27th, major Farquhar, with three companies of grenadiers, took possession of the West gate, and Amherst sent in brigadier general Whitmore to see the garrison lay down their

arms, and to post the necessary guards in the town on the stores, magazines, &c. The arms were then brought out of the town, together with *eleven colors*, which general Amherst sent to Mr. Pitt, under the care of captain William Amherst. He adds in this despatch, which is published in the London magazine for 1758, pp. 379, 380: "As I have given in orders that I desired every commanding officer of a corps would acquaint the officers and men that I was greatly pleased with the brave and good behaviour of the troops, which has and always must insure success. I am to acquaint you, sir, that I took the liberty to add to it that I would report it to the king."

Boscawen writes from Gabarus bay, 28 July, to Mr. Pitt, giving the account of the capture of the Bienfaisant and destruction of the Prudent by the boats of the squadron, adding, "I have only further to assure his majesty, that all his troops" "and officers, both sea and land, have supported the fatigue" "of this siege with great firmness and alacrity." It is stated by Pichon, that the evening before the English took possession of the town, the French soldiers were suffered to plunder the magazines, and that the priests spent the whole night in marrying all the girls of that place to the first that would have them, for fear they should fall into the hands of the heretics, (p. 381.) I receive this statement with but a moderate amount of belief in its accuracy, as Pichon was not there himself, and being soured with his own nation, and an open scoffer at the Priesthood, without impugning his veracity, I may believe he was prone to believe any *canards* he heard that tended to disparage French authorities or religious men. It resembles too closely the harsh charges of pillage at Beauséjour, for which we have only his assertion.

Articles of Capitulation between their Excellencies admiral Boscawen and major general Amherst, and his Excellency the chevalier Drucour, governor of the island of Cape Breton, of Louisbourg, the island of St. John, and their appurtenances:—

1. The garrison of Louisbourg shall be prisoners of war, and shall be carried to England in the ships of his Britannick majesty.

2. All the artillery, ammunition, provisions, as well as the arms of any kind whatsoever, which are at present in the town of Louisbourg, the islands of Cape Breton and St. John, and their appurtenances, shall be delivered, without the least damage, to such commissaries as shall be appointed to receive them, for the use of his Britannick Majesty.

3. The Governor shall give his orders that the troops which are in the island of St. John, and its appurtenances, shall go on board such ship of war as the Admiral shall send to receive them.

4. The gate, called Porte Dauphin, shall be given up to the troops of his Britannic Majesty by to-morrow, at eight o'clock in the morning; and the garrison, including all those that carried arms, drawn up at noon, on the Esplanade, where they shall lay down their arms, colours, implements and ornaments of war; and the garrison shall go on board, in order to be carried to England in a convenient time.

5. The same care shall be taken of the sick and wounded that are in the hospitals, as of those belonging to his Britannick Majesty.

6. The merchants and their clerks that have not carried arms shall be sent to France in such manner as the admiral shall think proper.

Louisbourg, 26 July, 1758.

(Signed) 'LE CHEVALIER DE DRUCOUR.'

In the captured place there were 218 cannon and 18 mortars, 7500 musquets, 600 bbls. powder, 80,000 musquet cartridges, 13 tons musquet ball, 10,746 cannon balls of different kinds, 1053 shells, 12 tons of lead, 6 tons of iron, and a variety of implements. The prisoners of the land forces were 3031

" " sea forces, 2606

Total number of prisoners of war, 5637

Madame de Drucourt, during the siege, fired three cannons every day to animate the gunners, and after the surrender she interested herself for the unfortunates. She received great tokens of respect from admiral Boscawen.

M. Maillet de Grandville lost 150,000 livres (about £7500, or $30,000, Halifax currency) by the capture. He had come to Quebec at the age of 17, and made a fortune by industry.

There is a manuscript account of this siege by a French officer, who was at Louisbourg from 1750 to 1758. He says that there cannot be a worse situation for a fortified town than that of Louisbourg. It is commanded all round by heights. About 200 paces from the curtain between the West gate and the king's bastion, a height (Hauteur de la potence) overlooks a great part of the town, the parade, the wharves; enfilades the battery of the Grève, which defends the harbor, where the cannoneers of this battery, (whose platforms and cannons are entirely discovered from that eminence), may be marked out and killed from it with the musket. Opposite to the South gate, (porte de la Reine), there is another eminence, (Cap Noir), which is still much higher than the Hauteur de la potence, discovers all across the town down to the wharves, and is only betwixt 200 and 300 paces distant from the curtain. La Batterie Royale, a fort which faces and defends the entry of the harbor, is also domineered by a very high eminence about 300 fathoms from it, where there is a sentry box for a vidette. Such, he says, was the insurmountable defect of the position chosen for a town of such importance; but what is still more astonishing, is the negligence of the French in not repairing the fortifications of Louisbourg, that it might be at least in some state of defence. At the time they built the fortifications probably they had not the experience that sea sand is not fit for mortar, as it does not dry, bind and harden, as with river sand, which may be occasioned from the particles of salt it contains. All the walls of masonry, the embrasures, the counterscarp and the parapets, were tumbled down into the fosse, which was filled up with rubbish, the palissades were all of them rotten; in many parts of the covert way they were crumbled away in a level with the ground, and there was scarce any vestige of glacis which had not been destroyed by the cows grazing there. All the planks of the platform were entirely rotten, as also all the carriages of the cannons. In short, that town had more the look of ancient ruins than of a

modern fortification, since the treaty of Utrecht. He says the visit of English ships of war in 1755 exposed the want of repair, and had a good effect. The palissades, platform and gun carriages were renewed—the fossés cleansed of rubbish, and a double covert way made at the West gate, (porte Dauphin.) The glacis was repaired, and a half moon begun between the porte de la Reine and cap Noir. In 1757 entrenchments were made along the coast for two leagues, to oppose the landing of enemies. In the siege of 1758, as all the mason work of the fortification was crumbled down, the walls were now lined with fascines, trenches made to shelter the garrison from the enemy's fire from the heights, a redoubt built at cap Noir, with 5 guns, &c, all hasty and inadequate works. The officers and crews of the men of war were landed, leaving but a small guard in each, M. Goutte, their chief officer living in the town. M. Vauclin, of the Arethuse, 36 guns, alone kept his ship in order, and was as brave as a lion, and, after much exertion, left 15 July, with despatches, for France, where he arrived safe. He describes the besiegers' works, viz.: 3 or 4 batteries on the road to Miré—5 redoubts, palissaded, to protect their encampment, and several smaller batteries. During the bombardment, the barracks, government house and church were burnt. "Each cannon shot from the English batteries shook and brought down immense pieces of the ruinous walls, so that in a short cannonade the Bastion du Roi, the Bastion Dauphin, and the courtin of communication between them, were entirely demolished—all the defences ruined—all the cannons dismounted—all the parapets and banquets razed, and as one continued breach to make an assault everywhere."

In the most cursory view of this second siege and capture of Louisbourg, there are many ideas that occur. I will first mention this, that the mistake of restoring this fortress to the French king gratuitously, as was done in 1748, could not be repeated while the great William Pitt presided over the destinies of England. Therefore, although the siege may not present as vivid, exciting occurrences as that of 1745, the result was more valuable to the English race. Next, we have to notice the great names of men, celebrated as land and sea

officers, who were employed in the British force on this occasion. Among the soldiers of our nation, Amherst and Wolfe left names as glorious as history can record; while Boscawen and Rodney are stars of the first magnitude in the naval annals of Great Britain. As to the different operations of the siege, there is not the romantic interest attached to the first capture. On the contrary, we have the slow, persevering motions of a force of regular troops of every arm against a smaller force in a poorly arranged fortress. The chief enemy the English had to combat in 1758 was the bad weather, that made the landing of their stores and artillery a work of weeks instead of hours, and the hard soil, diversified by bogs and swamps, on which they had to build roads, make causeways, and erect batteries. Our arms had been far from successful in America in 1755. Although Beauséjour fell, yet the defeat of Braddock more than counterpoised that advantage. In 1756 and 1757 the English commander-in-chief, lord Loudon, had done no more than to paralyse the exertions which British America was ready to make under the science and patriotism of Shirley, and we are yet to find that Loudon's successor in command, Abercrombie,—(while Boscawen, Amherst and Wolfe were establishing the fame of the British nation),—continued, by his imbecile conduct, to ruin, as far as possible, the English name in America.

The fall of Louisbourg led to the English taking immediate possession, not only of the island of cape Breton, but also of the island of St. John. The inhabitants of the latter, according to Boscawen's official report, were then as follows:

Point le Prince,	700
N. E. River,	2000
St. Peters,	700
North point,	500
West and North River,	200
	4100

Lieut. colonel lord Rollo writes to the admiral that most of the inhabitants had brought in their arms. The admiral's letter further contains that, by the best accounts he can get,

the island of St. John has been the only supply for Quebec of corn and beef since the war, except what has been brought from Europe, having at present above 10,000 horned cattle; and many of the inhabitants declare that they grow, each of them, 1200 bushels of corn annually. They have no other market for it but Quebec. It has been an asylum for the French inhabitants from Nova Scotia; and from this island has been constantly carried on the inhuman practice of killing the English inhabitants of Nova Scotia, for the sake of carrying their scalps to the French, who pay for the same. Several scalps were found in the governor's quarters when lord Rollo took possession. [*See London magazine*, 1758, *p.* 537.]

APPENDIX TO CHAPTER XXIII.

(From Thacher's history of the town of Plymouth. Boston, 1835; *p.* 175.)

"1745. This year a full company of soldiers, of which Sylvanus Cobb was captain, was raised in Plymouth for the expedition against Louisbourg; and it was remarked that they were the first for that service who appeared at Boston, whence they embarked and served with credit on that memorable occasion. Captain Cobb continued in public service in Nova Scotia, and in 1758 was selected by general Monckton to conduct general Wolfe to a reconnoitre of the fortress previous to its capture. As they sailed into the harbor, no one was allowed to stand on deck, but Cobb at the helm, and Wolfe in the foresheet making observations, while the shot were flying thick around. General Wolfe observed that they approached as near as he wished for his purpose, but Cobb made yet another tack; and as they hove about, Wolfe exclaimed with approbation, "Well, "Cobb! I shall never doubt but you will carry me near enough." Captain Cobb returned to Plymouth, and afterwards removed to Nova Scotia, and was employed on the expedition to Havana in 1762, where he died."

He is called *Sylvester* Cobb in the list of officers at Louisbourg in 1745, and was a captain in Gorham's regiment at that siege. He wintered with his vessel at Chignecto some years, and had a house there, as mentioned by Tyrell, in 1754 and 1755, and had leave to cultivate ground near the English fort Lawrence. He afterwards settled at Liverpool, Nova Scotia, and built a house, which is said to be still subsisting. He had one child, a daughter, who was married to colonel Wm. Freeman, of Liverpool. His brother, Jabez Cobb, also settled at Liverpool, had a large family, and died about 1800.

Sylvanus Cobb died from sickness at the siege of Havanna, and is said to have expressed his regret that he had not met a soldier's death in battle. He commanded the armed sloop York, belonging to the provincial gov'mt. of Nova Scotia.

I am indebted for some of these particulars to Wm. S. More, Esqr., of Halifax, one of the descendants of Jabez Cobb.

CHAPTER XXIV.

On the 5 July, 1758, major general Abercrombie, the commander-in-chief of the British forces in America, embarked on lake George, to attack fort Carillon, or Ticonderoga. Montcalm commanded this fort, and had a total of 3858 men, of whom 2970 were regulars, 16 Indians, and 472 Canadians and others. Abercrombie had 6367 regulars, and 9024 provincials,—in all 15,391. These were embarked in 900 batteaux and 136 whale boats, the artillery to cover the landing being mounted on rafts. They landed early on the 6th, when an advanced guard of the French retreated; but the British, pushing on their advance through the woods, got bewildered and confused, and broke their ranks. Lord Howe, at the head of a column, fell in with about 400 French. In the skirmish, *lord Howe was killed* the first man. On the 7th, the English retired to their landing place. On the 8th, the English army attacked the French in their entrenchments, which were strong, and surrounded with felled trees. After several repeated attacks, which lasted upwards of four hours, Abercrombie withdrew his forces. The English had 551 killed, 37 missing, 1356 wounded,—total 1944, (including 34 officers killed and 84 wounded.) On the 9th, the English reached their first encampment. The French at Carillon lost 104 killed and 271 wounded. As this singular affair has little to do with the chief object of my work, I will only remark that the inaction of Loudon did the English less harm than the movements of Abercrombie, and that the details of this affair exhibit a complete contrast to the proceedings of the English at Louisbourg.

Fort Frontenac, garrisoned by 150 men, surrendered to colonel Bradstreet and 3000 provincials on the 27 August; and 25 November, fort du Quesne was approached by large English forces, and then destroyed and left by the French garrison.

To return to the Halifax settlement: On the 2 June, Monckton, the lieutenant governor, consulted the council on the expediency of putting the militia on a better footing in case of hostile attack, as the number of troops left was small, and many of them sick. They advised the raising a company of Rangers, to be 72 men, officers included, to serve for 3 months. The men to be paid 1s. per diem, besides rations, and 2 dollars each bounty. Subsequently they raised the mens' pay to 2s. a day. Captain Charles Procter was ordered to raise this company, but 10 Sept'r. he was ordered to dismiss this business. 21 June, the government entered into a contract with Josiah Marshall, to build a workhouse in Halifax, 50 feet long, 20 feet wide, and 8 feet high in the clear, &c., for £200 sterling. The building long known as the workhouse, near the gaol and poorhouse, has been recently removed. 6 Sept'r., Patrick Sutherland, captain 45th regiment, is sent to command at Lunenburg, to relieve captain Frasch (or Fesch.)

About the end of August, governor Lawrence returned to Halifax, intending to preside over the first meeting of the Representative Assembly of the province in the autumn. He wrote to Mr. Pitt, suggesting that, in order to facilitate the reduction of Quebec, some small armed schooners, under convoy of a frigate, should be sent into the river St. Lawrence in the spring, with able surveyors and pilots, to make a full survey in May and June.—Mr. Handfield, who had long been in command at Annapolis, was now made lieutenant colonel of Hopson's regiment. Colonel Monckton was ordered to command a body of troops sent to take possession of St. John's river.

On the eve of the first meeting of the Assembly, Mr. Lawrence had still much misgiving about their conduct. 26 Sept. he tells the lords of trade that he hopes he shall not find in any of the representatives a disposition to embarrass or obstruct

his majesty's service, or to dispute the Royal prerogative, though he observes that too many of the members chosen are such as have not been the most remarkable for promoting unity or obedience to H. M. government here, or indeed that have the most natural attachments to the province.

On monday, 2 October, 1758, the newly elected members met at the court house in Halifax, pursuant to a summons from the provost marshal. Their names, as present :

Joseph Gerrish,
Robert Sanderson.
Henry Newton,
William Foye,
William Nesbitt,
Joseph Rundel,
} Esquires.

Jonathan Binney,
Henry Ferguson,
George Suckling,
John Burbidge,
Robert Campbel,
William Pantree,
Joseph Fairbanks,
Philip Hammond,
John Fillis,
Lambert Folkers,
Philip Knaut,
William Best,
Alexander Kedie,
} Gentlemen.

(being nineteen members returned in attendance.)

The members sent Nesbitt, Newton and Rundel to wait on the governor, who then appointed messrs. Green and Morris, two of the council, to swear them in. After this was done, they received a message, requesting them to wait on his Excellency. They accordingly went to his house, where he was sitting in council. He directed them to choose a speaker. They withdrew, and elected Robert Sanderson, esquire, and returned to the governor, who confirmed their choice, and addressed them in a speech. In this he mentions their being convened "in"

"consequence of a plan some time since formed here for that" "purpose with the advice and assistance of H. M. council," "and by me transmitted to the Lords Commissioners for" "Trade and Plantations, to be laid before his majesty for his" "approbation." He tells the representatives that he hopes they will promote "the service of the crown, or in other" "words the real welfare and prosperity of the people." That their "regard due to the civil rights and interests of your" "constituents," will lead them to this, as well as gratitude to the crown. He reminds them of the fleets and armies from time to time sent out for their protection from a merciless foe, and the grants of money for support of the colony still continued; hints at their self-support by-and-bye; expects he has to go away to attend the commander-in-chief on military duty; urges their early passing a confirmation of acts of governor and council of a legislative character, and promises on his return to concur in all reasonable acts agreed on. The House then appoint

Mr. David Lloyd, their clerk;
William Reynolds, doorkeeper;
John Calbeck, messenger.

They resolved also that the members should all serve without reward this session. Nesbitt, Newton, Gerrish, Foy and Burbidge, committee to prepare answer to the governor's speech. The answer of the assembly was couched in the most loyal and polite language. They at the same time intimated that the work before them would necessarily occupy a considerable period.

On the 13 October the house of representatives appear to have obtained an account of the revenue raised in the province by duties on spirituous liquors from June 25, 1751, to Oct. 12, 1758, viz.:

	£7045	4	6
Of this sum the treasurer had paid away	4840	6	7
Which left in his hands	£2204	17	11

October 19, they resolved to build a light house at Sambro. 25th, The forms of sending bills from one house to the other

were agreed on, and other forms. Nov'r. 2. The Jew's burying ground to be taken for a workhouse. The governor objects to building a courthouse on the north end of the parade. Nov. 21. John Calbeck, the messenger, is to have 5s. a day, "and that" "he continue to *ring the bell* as usual," (probably to call the members together.) 24 Nov'r. Capt. Rous and others having given their opinion, the isle of Sambro was chosen as the site of the light-house. 27th. £1000 for light-house and £500 for work-house voted, and resolved to ask the governor for these sums, (probably out of the balance in Mr. B. Green, the treasurer's hands, of the spirit duties.) Dec'r. 4. The house ordered different public officers to furnish lists of their fees. Next day, Mr. Collier, the judge of admiralty, returned the scale of fees in the probate court, but declined to furnish a table of fees in the court of admiralty. Wednesday, 6 Dec'r., the clerk of the council brought down the following message, viz.: "Mr. Suckling, one of the members of the house, yester-"day, in the presence of the governor and council, charged "Mr. Collier, the judge of vice admiralty and a member of the "council, and the other officers of the court of vice admiralty, "with taking such ffees as were grievous and oppressive, and "such as the subject was unable to bear, which was highly "reflecting on said court. The council therefore desire that "the assembly would give leave to Mr. Suckling to waive his "privilege, and attend the council when required, in order to "make good his said charge." Which, being considered, it was voted that, as the words complained of were spoken by Mr. Suckling as a member of the assembly, he was entitled to the protection of the house, and he himself declining to waive his privilege, the following answer was sent to the council: 'What was said by Mr. Suckling yesterday, in council, was as' 'a member of the assembly, and it is the opinion of the assem-' 'bly that he is accountable to them only for what was then' 'said.' An address to the governor, suggesting a bill to regulate fees, (including vice admiralty), was then passed.—Thursday, the 7th day of December, 1758. The clerk of the council brought down the bill to exclude the members of the council and assembly from holding any employment or place of profit

under this government. *Not agreed to.* His Excellency was pleased to signify, by a member, that the house might recommend two proper persons to collect the duties of impost and excise, and that he should approve of such persons, &c.; upon which it was agreed to recommend Mr. John Newton and Mr. Malachy Salter. 5 December., the council asked to appoint two collectors also. The house thinking four too many, proposed to farm the revenues at the upset price of £2500. 11 December. The house represent to the governor "that" "the officers who were collectors of the impost and excise" "duties, are, by the gout and other infirmities of body," "rendered incapable," &c. His Excellency expresses himself highly satisfied not only with "the persons but with the" "impartiality of the assembly in their choice." Thursday, the 14th day of December, 1758. "Mr. Pantree, one of the members of the house, complained that, yesterday, going in a peaceable manner from the house, he was accosted by Mr. Archibald Hinshelwood, in these or the like words: 'Damn you, sir! what is this you complain against me?' Upon Mr. Pantree's denying that he had complained against him, he, in a threatening and haughty tone, said: 'Damn you, you have—your house has; by God sir, I'll not bear it. Take care for the future. I have but one life to lose, and by God, sir, I'll not be used so,' and much more to the same effect." Hinshelwood being summoned, attended and said, "that his mind had that "day been greatly disturbed on some other occasion, so that "he knew not what he said to Mr. Pantree,—that he asked "his pardon, and pardon of the whole assembly." Hinshelwood was committed to custody of the messenger of the House, with verbal permission to confine Hinshelwood in his own house. The governor was notified, and the next day Hinshelwood, having signed a written apology in terms prescribed by the house, was set at liberty. 21 Dec'r. Thanks of the house to capt. Rous for signing deeds of Sambro island: and his brother, Joseph Rous, to be recommended to have the care of the light house, if agreeable to him. The governor this day adjourned the assembly until 1 Feb'y. next.

On the 12 October, a proclamation was adopted in council,

relative to settling the vacated lands in the province, in conformity with the directions the governor had received from the board of trade. It recited that by the reduction of cape Breton, and the destruction of the French settlements of Gaspé, Miramichi, and St. John's river, the enemy who formerly disturbed and harrassed the province and obstructed its progress, had been compelled to retire to Canada, and thus "a favorable" "opportunity now presents for the peopling and cultivating" "as well the lands vacated by the French as every other part" "of this valuable province." The governor declares his readiness to receive any proposals "for effectually settling" the vacant lands or any other in the province. A description of the lands was ordered to be published pursuant to the foregoing proclamation, which consist of upwards of one hundred thousand acres of intervale plow lands, producing wheat, rye, barley, oats, hemp, flax, &c. 'These have been cultivated for more than a hundred years past, and never fail of crops, nor need manuring. Also, more than one hundred thousand acres of upland, cleared, and stock'd with English grass, planted with orchards, gardens, &c. These lands, with good husbandry, produce often two loads of hay per acre. The wild and unimproved lands adjoining to the above are well timbered and wooded with beech, black birch, ash, oak, pine, fir, &c. All these lands are so intermixed, that every single farmer may have a proportionate quantity of plow land, grass land and wood land; and are all scituated about the bay of Fundi, upon rivers navigable for ships of burthen. Proposals will be received by Mr. Hancock, at Boston, and by messrs. Delancie and Watts, at New York, to be transmitted to the governor, or, in his absence, to the lieutenant governor or president of the council, at Halifax.' [*Jno. Duport, sec. conc.*]

14 Nov'r., a proclamation issued at Halifax that soldiers should work for the people at 18d. a day for artificers, and 6d. a day for laborers, by general Amherst's order, in consequence of the excessive rate of wages; and 20 Nov'r. the assembly addressed the governor, thanking him and general Amhurst for this measure. The officers were to encourage all the men that could be spared, to work for the settlers at these rates.

26 Dec'r. Lawrence wrote to the lords of trade. He tells them that the assembly had met, and passed a number of laws. He hopes to get through the business in time, and with less altercation than, from the seeming disposition of the people, he had been apprehensive of. He explains that there may be more time required in the session than in cases where the course of business has been established, but that not a moment has been lost or misspent. He says the Indians still infest and harrass the promising settlement of Lunenburg; that they had just now destroyed a whole family remarkable for their industry and merit, and that in so bloody and barbarous a manner as to terrify and drive three parts of the people from their country lots into the town for protection. As captain Cotterell had left the province 16 months before, and had not written since, governor Lawrence appointed Mr. Bulkeley secretary of the province. The province sloop Ulysses, which attended colonel Monckton upon the expedition to St. John river, in the bay of Fundy, was lost in passing the falls of that river.

In September, of this year, a petition from forty families then at cape Sable, of Acadian French, was sent to governor Thomas Pownall, at Boston, praying to be received under his government; and in Pennsylvania the exiles presented a petition for relief.

In December, the governor and council appropriated £400 of the spirit fund, in the hands of the treasurer, towards finishing the church in Halifax; £100 to dissenting meeting house; and as salaries to the judges of the common pleas, viz't.: to Charles Morris, £60; James Monk, John Duport, Joseph Gerrish and Edmund Crawley, £40 each.

At this time Canada is said to have had about 80,000 population, of which 15,000 were able to bear arms. The English provinces contained above 1,000,000 as far back as 1756, as stated in the Boston almanac of that year.

APPENDIX TO CHAPTER XXIV.

(1.)

Messieurs Charles Morris, Joshua Mauger and Charles Procter were appointed to value the land at Gorham's Point, near Halifax, (now included in the Dock-yard.)

(2.)

9 Dec'r., 1758. Peter, marquis de Conti and Gravina, having, in Michaelmas term of the Supreme Court, being convicted of an assault, with intent to commit a rape, on the body of an infant under ten years, "was adjudged by the court to" "walk in custody of the sheriff and constables, between the hours of 11 and 12" "this day, from the North to the South side of the Parade, and from thence to" "the Gaol, having a paper fixed on his breast with his crime thereon inscribed," "and also to be close confined thereafter for three months, and fined in thirty" "pounds, and to remain in gaol till the same be paid." Governor Lawrence, in mercy, respites the execution of the first part of his sentence.

CHAPTER XXV.

1759. The year now opening was destined, by divine Providence, to be one of most decisive success to British valor, and to be marked to posterity by the fall of Quebec, and the premature death of the hero Wolfe, and that of his noble adversary Montcalm.

Shirley, to whom the British colonies owe a debt of gratitude for his exercise of the powers of a great mind in the protection and aggrandizement of English influence in these regions, had been removed from Massachusetts and sent as governor to the Bahamas. Thomas Pownall, a gentleman of literary taste and classical style, whose brother, John Pownall, was secretary to the lords of trade and plantations, was sent to succeed Shirley as governor at Boston. He wrote to Lawrence, dated Boston, Jan. 2, "with the compliments and every good of the season." He says he has imprisoned one Haskall, for trading with the 'neutrals;' that "Desenclaves, the priest, and the other neu-" "trals, now prisoners with you, may possibly be evidence" "against him. The fact was committed in your province." "If you think you could convict the man, and think of bring-" "ing him to a trial, he may be sent to you." He then mentions the petition from the people at cape Sable. "As for" "the case of the poor people at cape Sables, it seems very" "distressful, and worthy of any relief can be afforded them." "If policy could acquiesce in any measure for their relief," "humanity loudly calls for it. I send you a copy of their" "petition; and in the copy of the journal of council, which I" "also inclose, you will see that general Amherst was willing"

"to relieve them, could it have been done here; but by the"
"same you will see that the council could by no means"
"advice me to receive them." The English news was to the 18 Oct'r., and in his next letter of 15 Jan., only to the 7 Nov'r. previous. In this last he says: "The bad weather has inter-"
"rupted our posts between this and New York, so have not"
"heard from thence this fortnight. I had a letter for you."
"By the direction and seal, it is from our Jack," (John Pownal, secretary of the board of trade.) "I had not time to write"
"myself to you when I received it, so gave it to Mr. Hancock"
"to forward." "As to the ship in which I sail & am at y^e"
"Helm we go yet before y^e wind with a flowing sail. Sed"
"non semper arcum tendit Apollo. The more & more I see"
"of y^e world of business the more my disgust to it encreases."
"I find myself unfitt for it, & I find it very unfitt for y^e turn"
"of my temper. I will hold out while y^e warr lasts, & will"
"then ask leave to retire to home with a groom & a couple"
"of hunters & my books." "I find I am gott into a vein of"
"thought that ill suits with rising fortune, so permit so cir-"
"cumscribe every good wish for you in wishing you all your"
"great merit deserves, & to assure how proud I shall alway"
"be to find myself one of your best friends & to be esteemed."

"y^r faithfull & obd't. servant,"

"T. POWNALL."

"His Excellency
"Brig. Gen^l. Lawrence,
"Gov. &c. of N. Scotia."

In consequence of the proclamation in October, 1758, respecting the desired settlement of the vacant lands in Nova Scotia, Thomas Hancock, who was agent for the province at Boston, was applied to by different persons, who wished to know—What terms of encouragement would be offered? How much land each person would get? What quit rent and taxes were to be exacted? What constitution of government prevailed? and what freedom in religion? Accordingly, at a council held thursday, 11 January, a second proclamation was approved. By this the governor states that he is empowered to make grants. Townships are to consist of 100,000 acres,

or about 12 miles square. They are to include the best land, and the rivers of the vicinity, to front on the sea, &c. 100 acres of wild wood land will be given to each head of a family of settlers, and 50 acres added for every person in the family, young or old, male or female, white or black, subject to a quit rent of 1s. per 50 acres, to begin ten years after the date of the grant. The grantees to cultivate or inclose one third of the land in 10 years—one third more in 20 years, and the residue in 30 years. No quantity beyond 1000 acres to be granted to any one person. On fulfilment of the terms of a first grant, the party will be entitled to another, on similar conditions. The lands on the bay of Fundi are to be distributed with proportions of interval plow land, mowing land and pasture, which plow lands, &c., produce wheat, rye, barley, oats, hemp, flax, &c., for more than 100 years past, never failing of crops, nor needing to be manured. That the government of Nova Scotia is constituted like that of the neighboring colonies, the legislature consisting of governor, council and assembly; and every township, as soon as it shall consist of fifty families, will be entitled to send two representatives to the general assembly. The courts of justice are also constituted in like manner with those in Massachusetts, Connecticut, and the other Northern colonies. That as to the article of religion, full liberty of conscience, both by H. M. instructions and a late act of assembly, is secured to persons of all persuasions, (papists excepted.) No taxes have been imposed and no fees charged on grants of land. The governor is not authorized to offer any bounty of provisions to settlers. He is ready to grant lands on these conditions, and to send to England any proposals for settlement on other conditions. Forts garrisoned with Royal troops are established in the neigbourhood of the lands proposed to be settled.

On thursday, 1 Feb'y., 1759, the general assembly of the province met agreeably to the adjournment. On 10 February the journal of the house was ordered to be corrected for the press; and on the 5 March, the printer was ordered to suspend printing the votes, and to get on with the acts. Great excitement appeared in the assembly against the admiralty

court fees, on which the governor promised to enquire into the amount demanded in other colonies, and if those in Nova Scotia were excessive in comparison, to do all he could to remedy the complaint. 6 April. Archibald Hinshelwood took his seat as member, elected at Lunenburg, for the province at large; and on 9 April he was unseated on petition of Richard Bowers. The house voted for its expences: £100 to the clerk; £32 10s. 0d. to the doorkeeper; £32 10s. 0d. to the messenger; £50 to Mr. Walter Manning, for hire of room, fuel, &c., and £38 for other charges and contingencies,—in all, £250. On the 11 April, 1759, a joint committee of the council and assembly chose the town officers for Halifax, viz.: four overseers of the poor, two clerks of market, four surveyors of highways, two fence viewers and two hogreaves. On the 17 April, the assembly was prorogued until the 1 August, ensuing. They had previously passed 36 acts, among which the most remarkable were: acts to establish a general registry of deeds; an act which established the church of England, but with free liberty of conscience to protestant dissenters, banishing *popish priests*, under penalty of imprisonment, &c., any one harboring or concealing one to pay £50—be set in the pillory, and find securities for good behaviour; militia, with felonies, divorce, &c., were regulated, and some of the ordinances of the governor and council were re-enacted. This, the first assembly, met in its second session 1 August, 1759. William Nesbitt was chosen speaker. The governor opened the session with a speech. The assembly resolved to meet at the court house. On the 2d August they answered his excellency's speech. They passed seven acts—one to establish a house of correction or work house—one for maintaining Sambro light house, and one to the effect that any action to recover lands grounded on a French title should be dismissed; and on the 13 August, 1759, this, the first assembly, was dissolved.

At this time, Mr. Joseph Gerrish was employed as storekeeper of the Navy yard, at Halifax, with £100 a-year salary, and a clerk at £40. At Annapolis, T. Williams was storekeeper to the board of ordnance—Rumsey clerk of the cheque,

and LaMont extra clerk. At Halifax, J. Jefferys was commissary of stores, and David Lloyd clerk of stores.

Lawrence represents the assembly as entertaining idle jealousies of the council about particular rights and privileges, and says he has endeavored to reconcile and accommodate them. Having long acted with the council, he, no doubt, had more confidence in their disinterested patriotism and loyalty than he could be expected to have in the popular branch, who are to be commended nevertheless for a jealous and vigilant care of their privileges. He also found at this time that the people in NewEngland were eager to adventure in the settlement of the vacant lands in Nova Scotia.

A singular misconception arose between governor Lawrence and his brother governor, Pownall, of Massachusetts. It seems that a letter to Lawrence from secretary Pownall had passed through the hands of his brother, the governor, in referring to which, Lawrence said: "You guess'd right about the letter" "seal'd with your seal." Pownall understood this to imply he had tampered with the letter, and being, as he says, shocked and uneasy at this suspicion, hopes Lawrence has kept the seal, saying, "Upon a second view, you will find my brother's" "wife's arms, together with the lion of the Pownall's; but" "in my seal, you see the lion alone—a poor lonely bachelor," "like his master."

General Amherst was at New York in February and March, whence he wrote to Lawrence, directing the preparations for the ensuing campaign. In his letter of 16 March, he says he has received his majesty's orders to send a number of his forces in North America to rendezvous at cape Breton, about the 20 April, intended to form an expedition against Quebec, under the direction of brigadier general Wolfe, who is named major general for that service only. Wolfe was a fine, active young man, the son of a soldier, and full of earnestness and enthusiasm. He was a perfect contrast to the Loudons and Abercrombies, who had been previously sent to command. Wolfe was delicate in health, and suffered much from sea sickness, but nothing could diminish or break down his zeal and fervor. There are many anecdotes, of different degrees of

credibility, all tending to shew the impression this young hero made on those under his command. At the siege of Louisbourg, in 1758, he had ordered all the men in the boats to lie flat as they neared the shore, to offer less mark for the enemy's bullets. One of the old soldiers of a New England corps, partially disobeying orders, lifted his head to look about him, being in the same boat with Wolfe. He saw the general in his full uniform standing calm and erect, evidently setting at nought the danger he courted. On this, he made a remark to his comrades, to the effect that they had now got the right kind of leader to ensure success. (I can remember lord Keane's visit to Halifax, and was struck with his active, heroic and soldierly aspect, and can imagine Wolfe to have had something of his restless vivacity of appearance.) It is said that, at a trying moment at Quebec, he stated to a brother officer that he would exchange almost any military fame for the poetical genius of Gray, as shewn in his celebrated 'elegy in a coun-' 'try church yard.' Though Wolfe died young, he lived long in the affections of the British Americans, as I can well remember seeing his likeness (an engraving) in many of the quiet and happy homes of my native town of Halifax, which had been preserved among the penates of the colonial hearths for half a century. I can recal the engraving well: the cocked hat, of antique pattern—the military garb—the bright, young face, and the inscription of 'General James Wolfe;' ætatis 33. I fancy this was the workmanship of a Mr. Hurd, of Boston, brother of Jacob Hurd, of Halifax, from whom Hurd's lane derives its name.

It seems that although Lawrence had partaken of the glories of the capture of Louisbourg in 1758, he was shut out from participating in the campaign of 1759; and Amherst remarks, that if he had the disposition of the services, he certainly would not do anything but what would be perfectly agreeable to Lawrence, and that he imagined he was left at present in Nova Scotia as a province of the utmost importance, and which from the distance the army would be at, must require the care of an experienced and good officer.

On 26 March, lieut. general Edward Wolfe, colonel of the

8th Foot, died. He was, I believe, the father of general James Wolfe.

M. Vaudreuil, in April, did not believe the English would attack Quebec, but in any event would leave garrisons at Carillon and fort Frederick to protect lake George. He thinks the farmers must be protected, as without their aid "succors" "from France, however liberal they may be, could not pro-" "vide for the subsistence of about 90,000 souls who are in" "this colony." In April, Montcalm writes to the *maréchal* de Belleisle. He says: "Canada will be taken this campaign," "and assuredly during the next, if there be not some unfore-" "seen good luck,—a powerful diversion by sea against the" "English colonies, or some gross blunders on the part of the" "enemy." He speaks of Vaudreuil as inactive and incapable, —of the intendant Bigot, as occupied in making a fortune for himself, his adherents and sycophants. Charges peculation, on a great scale, on the officials in Canada. The king will have to pay 36 millions this year, as expended on the Indians, not a fourth of which is given them. "The enemy can come" "to Quebec if we have not a fleet, and Quebec once taken," "the colony is lost. Yet there is no precaution." He calculates the effective troops for defence at eight battalions, making 3200 men and 1500 colonials, and deems it insufficient. Bigot stated that he had to pay on certificates of commanders of forts, &c., which he had no means of correcting.

In April, of this year, agents from a number of persons in Connecticut and Rhode island, who designed to become settlers on the vacant lands in the bay of Fundi, came to Halifax. They were, major Dennison, messrs. Jonathan Harris, Joseph Otis and James Fuller, from Connecticut; and Mr. John Hicks, from Rhode island. On 18 April, (wednesday), a council met at the governor's house in Halifax, governor Lawrence, and messrs. Belcher, Green, Collier and Morris, were present; and the New England agents attended. The latter put several questions to the board, as to the terms of the proposed grants. As they were the first applicants, they were promised some aid from government to the poorer families. The vessels belonging to the province were to be at the service of the settlers

to bring them with their stock and furniture to Nova Scotia. Arms for a small number were to be given them, and protection for the troops. The government also engaged that the settlers should not be subjected to impressment. The five agents expressed their satisfaction with the results of this conference, and were sent in the armed snow, Halifax, to visit the places in the bay of Fundi, proposed for settlement. Mr. Morris, member of council and chief land surveyor, accompanied them, to give them information, and, if necessary, to lay out townships. An officer of artillery and eight soldiers of the Royal Americans were in the vessel.

In May, the agents having viewed the vacated lands and returned to Halifax, the four gentlemen from Connecticut who represented 330 signers, proposed to settle a township at Mines, "joining on the river Gaspereaux, and including the" "great marshes, so called: which township to consist of" "100,000 acres, to 200 families," the grants to be in fee simple, subject to the proposed quit rent. The block-houses were to be built and garrisoned for their defence. 50 families of the number were to have from government an allowance of corn of one bushel to each person per month, or an equivalent in other grain, for one year, and arms and ammunition for defence. The people, with their moveables, stock, &c., to be transported at expence of the government. The township of Canard, 100,000 acres, to be settled by 150 families, on the same terms, with protection of one block-house, &c. All these propositions were agreed to by the governor and council, on thursday, 17 May, 1759, and the forms of grants were ordered to be prepared accordingly. May 21, the grants of the townships of Horton and Cornwallis being completed and approved of by the agents from Connecticut, were ordered to pass the seal of the province. Mr. John Hicks, (from Rhode island), and Mr. Amos Fuller, desired the governor and council to reserve lands for them and their constituents at Piziquid, for a township, on the North side of the river, they engaging to settle 50 families in 1759 and 50 more in 1760, on the same terms as accorded for Horton and Cornwallis; and this was also agreed to. In June, a committee on behalf of intending

settlers, attended before the governor and council, who offered to send them in a provincial vessel to view the ground. One committee, who were well acquainted with the place, proposed to settle the North side of Annapolis river without going there. On 27 June, the draft of a grant of Granville township was approved. In council, 29th June, 1759: *This grant, dated the 27th inst., of part of the lands in the township of Granville and Annapolis, to Mr. Crocker and Mr. Grant, and others, to the number of* 138, signed by his excellency, was delivered to them, with a promise that they should have liberty to fill up the vacant shares to the number of forty. In July, a party of committee men were landed by captain Cobb, at or near cape Sable, to view the lands in order to settlement, and were fired upon by 100 neutral French and Indians. A party of French and Indians, about the same number, appeared about this time before the fort at Pisiquid, and continued there some days. Three fishing vessels had been recently taken off Canso, by the Acadian French. Five persons had also been murdered on the East side of Halifax harbor, opposite Cornwallis (McNab's) island; and the enemy had again of late frequently appeared in the environs of Lunenburg and fort Sackville. Under these circumstances the governor and council determined to postpone the new settlements of Horton and Cornwallis until the next spring. — 19 July. Messrs. Liss Willoughby, Benjamin Kimball, Edward Mott, and Samuel Star, junr., a committee of agents from Connecticut, proposing to settle a township at Chignecto, were allowed a vessel to convey them to view the place, and promised a grant on their return. Tuesday, 24 July, Mr. Knowlton, on behalf of 52 others, applied for a tract of land at Cobequid. It was resolved to make a township there, to be called Onslow, with 102 shares. It was also resolved that a grant of a tract of land in the township of Annapolis should pass the seal of the province to messrs. Felch, Evans and Bent, and others, to the number of 112. In September, Mr. Edward Mott, and others, returned from Chignecto, proposed some alterations in the terms of their grant, which were acceded to.

General Amherst wrote to governor Lawrence from New

York, April 14th, 1759. He urges the completion of the works at fort Cumberland, (Beauséjour.) He is greatly pleased with the resolution for building Sambro light-house. He says "This and the yard for the navy tell me that Halifax will" "flourish, the thoughts of which are very agreeable to me." Amherst says he received a letter from Wolfe, of 6 March, and that Wolfe "*is sea-sick as usual,*" but hopes to be early at Louisbourg.

Governor Lawrence, in his letter to the lords of trade, dated Halifax, 20 April, 1759, tells them that the Indians have again opened the spring with fresh murders amongst the settlers at Lunenburg. "Five soldiers have been likewise killed and" "scalped near Fort Cumberland; and a provision vessel," "boarded by French and Indians in conjunction, was taken" "very lately in the bay of Fundy, and carried up the river" "Petitcoudiac."

Admiral Saunders, with his squadron, arrived 21 April, off Louisbourg, but on account of the ice blockading the harbor was obliged to bear away on the 26th for Halifax, where he arrived on the 1 May. Lawrence, in his letter of May 8 to Mr. Pitt, says: "I was particularly happy in the satisfaction" "major general Wolfe expressed, on his arrival, in the prepa-" "rations made here for the expedition under his command." On the 3 May, admiral Durell was despatched with eight ships of the line and some troops as far as the isle *aux coudres*, (island of hazel trees), to prevent supplies getting to Quebec. On 14 May, admiral Saunders again reached Louisbourg, the harbor of which had been but a few days open. He sent two other ships to join Durell. Whitmore then commanded at Louisbourg. The land forces under Wolfe did not exceed 7000 men. Amherst, writing to Lawrence, from Albany, 29 May, says: "The distress I am in for want of money has" "forced me to march all the regiments, leaving the ration" "and baggage money unpaid. Three days since Mr. Mortier" "is come up from New York, with the very small remains of" "what was sent over from England, as my first care has" "been to supply Mr. Wolfe, who writes me word he has not" "a dollar, and this moment I have not a shilling, but that"

"shall not by any means hinder H. M. service, as far as I" "can carry it on." One cannot but admire the noble generosity of this loyal and brave officer.

In general Amherst we recognize the brave soldier, the skilful officer, the patriotic citizen. The project of the campaign was, that he should attack the French in all their strong posts at once; to fall, as nearly as possible, at the same time upon Crown point, Niagara, and the forts to the South of Lake Erie,—whilst a great naval armament, with a body of land forces, should attempt Quebec. Amherst had, of regulars and provincials, about 12,000 men, with which force he was to capture the French forts at Ticonderoga and Crown point, and then to enter the province of Canada, while Wolfe and Sanders took possession of Quebec. Niagara was, meanwhile, to be attempted by brigadier general Prideaux, aided by Sir William Johnson and the Indians of the Five nations, in the English interest. Ticonderoga and Crown point were rapidly abandoned by the French, and Niagara capitulated to Sir William Johnson on the 25 July, after a severe and sanguinary conflict. (Prideaux was killed on 20 July.)

I will now give a very brief sketch of the conquest of Quebec. On the 26 June, the expedition under admiral Sanders and general Wolfe arrived at the isle of Orleans, a few leagues below Quebec. The next day a violent storm occurred. On 27 and 28, the English troops landed on this island. At this time succours of all kinds had been thrown into Quebec. Five battalions of regular troops, a large number of Canadians, and a body of Indians, had encamped along the shore of Beauport, from the river St. Charles to the falls of Montmorenci, where they had entrenched themselves. Monckton, with four battalions, on the night of 29 June, crossed the river and took post near the enemy. The English also established batteries on the isle of Orleans and at Point Levi, opposite the town. 10 July, captain Danks' rangers were defeated by the Indians near Montmorency. 31 July, an attack was made by water on the enemy's entrenched forts, the grenadiers and other troops landing in boats from the fort; but it proved unsuccessful, owing, in some measure, to the over eagerness of the English

soldiers. The English loss was 182 killed, 650 wounded, and 15 missing. Wolfe became very sick, and despondency prevailed among the besiegers; but on the night of the 12–13 September, he led his men up the woody precipice to the heights of Abraham, where he formed his line, consisting of the Louisbourg grenadiers, Otway's, Bragg's, Kennedy's, Lascelles, the Highlanders, and Anstruther's regiments. The right was commanded by Monckton—the left by Murray, and the rear and left protected by colonel Howe's light infantry. Montcalm advanced with all his force from the Beauport side, intending to flank the left of the English. General Townshend was ordered thither, with Amherst's battalion. Two battalions of the Royal Americans joined him, and Webb's was drawn up as a reserve. The French lined the bushes in their front with 1500 Indians and Canadians, who kept up a galling fire. They had the regiments of La Sarre, Languedoc, Bearne and Guyenne, Roussillon, besides Canadians and Indians. They had two small pieces of artillery, while the English had but one. The English reserved their fire until they were within forty yards of their opponents. It was then that Wolfe fell at the head of Bragg's and the Louisbourg grenadiers, advancing with their bayonets. About the same time Monckton was wounded at the head of Lascelles'. In the front of the opposite battalion fell Montcalm. The English pushed on with the bayonet, and drove the French, part into the town and part to the bridge on the St. Charles. By the English official returns, they lost 57 killed, and had 594 wounded, and 3 missing, in this battle. They took 250 prisoners. On 18 Sept'r, M. de Ramezay surrendered Quebec, by capitulation, to admiral Sanders and general Townshend. The French forces engaged appear to have been about 3000 in number. Wolfe was only 32 years of age, "the parent of the soldier, and" "quite the humane and humble man." He was born in 1727—entered the army a boy of 13 in 1740, and was going with his father that year to the siege of Carthagena, but being taken ill, was sent ashore at Plymouth. He distinguished himself at Rochefort and at Louisbourg. At this last battle of Abraham's plains, he first was wounded in the wrist—received a

second shot in the belly—after that the fatal ball in his breast, when he fell backwards, and shortly after, enquiring and finding the French were repulsed, declared that he died content. The city of Quebec had been cannonaded for more than two months—180 houses had been burnt by fire pots, and all the others riddled by shot and shell. Walls six feet thick had not resisted—vaults, in which private persons had placed their effects, had been burnt, shattered and pillaged during and after the siege, and the cathedral was entirely consumed. It is stated of Wolfe while before Quebec: "He asks no" "one's opinion and wants no advice, and therefore as he con-" "ducts without an assistant, the honor or ——— will be in" "proportion to his success." Jealousy against this hero prevailed in his camp. With this and delicate health, in so arduous an undertaking, we can imagine his sufferings. The news of the great victory was received at Louisbourg by general Whitmore, then in command, on the 1st October, and by him was transmitted to governor Lawrence, at Halifax. The whole of this campaign, including the operations of general Amherst by land on the Canadian frontier, as well as the achievements of the fleet and army against Quebec, and the defensive measures of the French of that province, are highly interesting. In my research for Acadian history, I have collected much material on this subject, but as it would occupy a large space, I do not feel justified to introduce it here. The fall of Quebec, however, was a turning point in the history of all North America. It led to peace, and produced security for the British colonists. Nova Scotia now obtained a new and valuable accession of loyal and industrious settlers; and however gradual, her progress has ever since been onward.

APPENDIX TO CHAPTER XXV.

(1.)

Some gentlemen in the parish of Westerham, in Kent, have erected a plain monument to the late General Wolfe. "The table is of statuary marble, bean-

tifully executed by Mr. Lovel, near Cavendish square." (Is in white marble letters, inlaid in a ground of black marble.)

JAMES,
son of Col. Edward Wolfe, and Henrietta, his wife,
was born in this parish, January the 2d,
MDCCXXVII,
and died in America, September the 13th,
MDCCLIX.

Whilst George in sorrow bows his laurel'd head,
And bids the artist grace the soldier dead;
We raise no sculptur'd trophy to thy name,
Brave youth! the fairest in the list of fame,
Proud of thy birth, we boast th' auspicious year,
Struck with thy fall, we shed a general tear;
With humble grief inscribe one artless stone;
And from thy matchless honours date our own.

I decus I nostrum.

[*Annual Register for* 1760, *p.* 99, *and in the Gentlemens' Magazine for* 1760, *p.* 201.]

Thomas Paine (afterwards remarkable for his republican and sceptical doctrines) wrote a song on the death of Wolfe, very popular then and long after. It began thus:

"In a mouldering cave, a wretched retreat,"
"Britannia sat, wasted by care,"
"And she mourned for her Wolfe, and exclaimed against fate,"
"And gave herself up to despair."

I write from memory, having no copy of the verses.

(2.)

(From Dr. O'Callaghan's Note, 10 *N. Y. Doc's., p.* 1027.)

Lt. Col. Isaac Barré, born in Dublin, 1726, of French parents, entered the army in 1747—lieut. 32d foot 1 Oct'r. 1755—was at Louisbourg in 1758, and appointed major of brigade by Wolfe, 12 May, 1758, and 4 May, 1759, adjutant general of the army at Quebec—lieutenant colonel 19 Jan'y. 1761, (wounded at the siege 13 Sept.) Afterwards lord Shelburne got him a seat in Parl't. and the Gov't. of Stirling Castle, £6 10s. per diem. In 1766 he got a pension of £3200 in lieu of it. He sided with the Americans in the debates. He died in 1802, having been totally blind for some time before.

(3.)

Robert Stobo was born at Glasgow in 1727. About 1747 he emigrated to Virginia. In 1754 he was a captain of militia, under major Washington; and on 3 July, 1754, when Washington surrendered to M. de Villiers, at fort Necessity, Stobo and another militia officer named Van Braam, were placed as hostages in the hands of the French for the return of Jumonville's party. Stobo being kept

at fort *du Quesne* in a light kind of captivity, drew plans of the fort and its environs, and sent them in a letter by an Indian to the English commanders at Wills' creek. After this he was sent to Quebec, where he enjoyed almost perfect freedom. In 1755, his letters and plans fell into the hands of the French when they captured general Braddock's baggage. Stobo was thereupon placed in close arrest at Quebec, and he and Van Braam were tried there for high treason in 1755. Stobo was convicted and Van Braam was acquitted. By a previous order of the French king, the execution of his sentence was suspended. In May, 1759, he made his escape, (his third escape), and this time got off safely in a canoe to Louisbourg. He was at the siege of Quebec, in that year when his local knowlege proved of great use to general Wolfe. The assembly of Virginia voted him £300 in 1756, and in 1759 their special thanks; and returning there, they voted him £1000, besides all arrears of pay while he was prisoner. In 1760 he visited England—was made captain in the 15th regt. of foot, 5 June, 1760. In 1762, he served in the West Indies. In 1767 he again went to England, and left the army in 1770, and is supposed to have died in that year. [10 *vol. New York Doc's., pp.* 499, 970, 1083.]

(4)

I saw and conversed with an Indian, (Micmac), who had been at the fall of Quebec. His name was captain Penall. He said he was born at St. Margaret's Bay, Nova Scotia, and that he went a boy of about 14 years with the English expedition to the capture of Quebec. He was taken great care of by his people, and nicely dressed with clean linen and blue cloth dress. He said the dead lay close together in the battle, holding up his fingers to express how close and thick the bodies lay there. I was told that in his manhood he was affluent—had built a brick dwelling house in the bay, and used to get his wine by the pipe or hogshead from Halifax. This may have been somewhat exaggerated, as I never saw any traces in the place of brick or stone building. The fur and fish trade in those days was extensive, and Penall may have also had some gratuities from the government. Some of the Indians of Nova Scotia have built framed or log houses, but at the same time have preferred, at least in summer, to live in their bark wigwams. I saw an instance of this, a few years since, at Gold river, in the county of Lunenburg.

CHAPTER XXVI.

THE lords of trade had received a petition from Mary Magdalen How, the widow of Edward How, who had been killed at Chignecto by treachery, while engaged on the public service. She claims that £1180 18s. 6d. was due to him by the province, and states her unhappy position, without means of support for herself and her three children. The board sent this claim to the governor and council, stating that, from the information of the former governor, Cornwallis, they have reason to think the demand may be just. This claim was considered in council, 26 June, 1759. They had Mrs. How before them, and after hearing her statements, they ordered the sum of £948 s. 6d. to be paid her, reserving the payment of the difference for further enquiry. This sum they were authorized to charge to the contingent account of the settlement.

29 June. The province vessels had returned from cape Sable with the remaining French inhabitants, who had concealed themselves from the party sent thither in the autumn of 1758, and the governor and council then determined that they should be landed on George's island, and victualled there, until they could be sent as prisoners to England; and on the 5 July, the thanks of the council were expressed to major Erasmus Philips, for conducting a detachment from Annapolis to cape Sable, and taking these persons.—On thursday, 16 August, 1759, the places of William Cotterell, Robert Grant, and Montague Willmott, in council, becoming vacant by their absence, the governor appointed Richard Bulkeley, Thos. Saul and Joseph Gerrish, in their stead, who were sworn in, and took their seats accordingly.—Next day, the governor, and messrs. Belcher, Green, Collier, Morris, Bulkeley, Saul and Gerrish, attending

in council, the province was divided into five counties—Annapolis, King's, Cumberland, Lunenburg and Halifax. The boundaries of Annapolis county, beginning at a mile north of the harbor commonly called and known by the name of Cape Forchu harbor; thence to run E. 34° N. on the true meridian lines, and to measure 77 miles; and thence N. 34° W. to the bay of Fundy. King's, bounded westerly by the county of Annapolis, and of the same width, and from the southeasterly corner of said county to run E. 24° N. to the lake commonly called Long lake, emptying into Pisiquid river, and thence continuing near the same course to the river Chibenaccadie, opposite to the mouth of the river Stewiack; thence up said river ten miles, and thence northerly to Tatmaguash, and from Tatmaguash, westerly, to the river Solier, where it discharges into the channel of Chignecto. Cumberland to consist of all the lands in the province of Nova Scotia lying north of King's county. Lunenburg, beginning at a brook at the bottom of Mahone bay, and on the easterly head thereof, and thence to run northerly till it meets the lake called Long lake, and to be bounded easterly by the said lake, and northwesterly by the county of Annapolis and King's county—southwesterly by the river Rosignol and Port Senior, and southeasterly by the sea shore to the first limits, comprising all the islands southward of the same. That the county of Halifax comprise all the main land and islands lying easterly of the county of Lunenburg, and southerly and easterly of King's county; and all the other lands and islands within the province of Nova Scotia, &c.

August 22. The council, in consequence of the dissolution of the late assembly, which, as already stated, took place on 13 August, and the time approaching for calling a new one, resolved that there should be elected 22 members, viz't.:

For the township of Halifax,	4
" the towns of Lunenburg, Annapolis, Horton and Cumberland, 2 each,	8
" counties of Halifax, Lunenburg, Annapolis, Kings and Cumberland, 2 each,	10
	22

Eleven besides the speaker to be necessary to do business. Voters to have 40s. freehold in the town or county for which they vote. Popish recusants and minors under 21 not to vote. The returning officer not to be eligible. State oaths, test and qualification oaths, were prescribed. The provost marshal to appoint deputies to hold the elections. Freeholders of King's county not yet settled, may vote at Halifax. Several other regulations were added, and the writs were to be made returnable on 20 November next.

It was a great stretch of power in the governor and council to alter and re-arrange the constitution of the representative body of their own authority, but it seems to have been done with the best design for the public good, and being unobjected to, may be considered as sanctioned by the crown and the people. 26 October. A township, to be called Wolfe, on the river Chibenacadie, was resolved on, and the two large grants, each of 50,000 acres, in 1736, one at Chignecto and the other at Pisiquid, were ordered to be rescinded by a suit on behalf of the crown, in order to make room for settlers. Both grants were accordingly escheated 21 April, 1760. [*See this work, vol.* I., *pp.* 519, 520.] Early in November, governor Lawrence sent to England 151 French Acadians from cape Sable, who had been kept on George's island from the end of June. They had surrendered voluntarily.

A return of the number of French prisoners taken at cape Sable, in the province of Nova Scotia, and shipped off on board the ship "Mary the Fourth," William Daverson, master, at Halifax, 9th November, 1759:

Men.	*Women.*	*Children.*	*Total.*
56	46	49	151

The masonry of the light house on Sambro island was finished, and the lanthorn was in progress of erection. Lawrence had a chart of the harbor of Halifax and its entrance, with directions for piloting in ships safely, prepared in duplicate, and sent to the board of trade and the admiralty.

On the night of the 3–4 November, 1759, Saturday night and Sunday morning, the most violent gale of wind occurred at Halifax that had ever been known. Vast damage was done

to wharves, and the salt and sugars in the stores on and near the beach were almost wholly ruined. Two schooners were driven ashore. Thousands of trees were blown down, and in some places the roads were rendered impassable. Several thousand pounds loss was computed to have been sustained. The tide was supposed to have been raised 6 feet perpendicular above its ordinary level. [*Gentleman's magazine*, 1760, *p.* 45.] The storm broke down the dykes on the bay of Fundy everywhere, and the marsh lands now deserted were overflown and deteriorated. At fort Frederick, on St. John river, a considerable part of the fort was washed away; and at fort Cumberland, 700 cords of firewood was swept off by the tide, in a body, from the woodyard although situated at least ten feet higher than the tops of the dykes.—16 November, 1759. Alexandre Brussard, Simon Martin, Jean Bass and Joseph Brussard, came with a flag of truce to fort Cumberland, (Beauséjour), as deputies for about 190 French Acadians—men, women and children, residing at Petitcoudiac and Memramcook. They stated to colonel Frye, the commandant, their wish to surrender to the English government. They also said they had not provisions enough to keep them alive until spring. Frye told them to send 63 of their number to his fort, to be maintained there. They testified gratitude for this relief, and went off next day, 17 Nov'r., leaving Alexandre Broussard as a hostage for their good behaviour. 17 Nov'r. Pierre Suretz, Jean Burk and Michel Burk, arrived at the fort Cumberland, under flag of truce, as deputies for 700 persons resident at Miramichi, Richibucto and Buctouche. Their story was to the same effect as that of the previous party, Frye offered to receive 230 of their people to winter at Beauséjour. They stated to him that they had captured, near Canso, in the past summer, twelve vessels,—they promised to bring in these vessels if the great storm had not destroyed them; and on the 20th Nov'r. this deputation left the fort. Shortly after this, 51 persons arrived at Beauséjour, under this agreement; and on 4 Dec'r. four men came there from Richibucto. The more distant inhabitants were expected to come in December and January. Colonel Frye, writing to governor Lawrence from

Fort Cumberland, Chignecto, Dec'r. 10, 1759, states his expectation that early in the spring there would be at that place and at the baie Verte, about 900 souls, to be disposed of as his excellency should see fit. (On saturday, 12 January, 1760, the governor and council decided to accept the submission of those Acadians, and assist them with provisions. Nov'r. 11, sunday, general Sir W. Shirley, governor of the Bahama islands, arrived passenger in H. M. ship Mermaid, at Charleston, South Carolina.) 19 Nov'r. The returns for 12 members of the new assembly had been received, but those from Annapolis Royal and Chignecto had not come in. Eleven of the members returned were in Halifax, not enough to form a quorum. It was thereupon resolved in council to postpone the meeting of the assembly until 4 December, and a proclamation accordingly issued.

After the reduction of Quebec, about 200 inhabitants of the river St. John, under the guidance of the jesuit père Germain and père Coquarte, came down the river, and exhibited to colonel Arbuthnot, who then commanded at fort Frederick, certificates from captain Cramahé, deputy judge advocate at Quebec, that they had taken the oath of allegiance to the king of England. They had got leave from general Monckton to return to their habitations. Arbuthnot told them they must come down to the fort and remain there till he obtained orders from governor Lawrence as to what should be done with them. They accordingly came, and he wrote to Lawrence. Governor Lawrence stated to the council, 30 November, that Cramahé had given them the certificates on the supposition that they belonged to some river or place in Canada, called St. John, and not to the river St. John, in Nova Scotia; and that Monckton had not given permission for their return hither. Amherst, in his letter of New York, 5 Feb'y., 1760, confirms Lawrence's view on this subject, and approves his treating those French as prisoners at discretion. The people were in a starving condition; but as the French always pretended that the river St. John was their territory as a dependance of Canada, and it would not be proper they should re-settle there, the council advised the governor to hire vessels—bring them to Halifax

as prisoners of war until they could be sent to England, and that the two priests be likewise removed out of the provinee.

Some of the chiefs of the St. John Indians had also gone to Fort Frederick and taken the oath of allegiance, and it was resolved that Arbuthnot should encourage them to come on to Halifax, to confirm there their views of peace and traffic. At this time, exchange of prisoners took place, and Vaudreuil sent 16 officers and over 200 men, (English), to be balanced by a similar number from general Amherst.

The lords of trade became dissatisfied with the measures taken by Lawrence and his council for settling the vacant lands in Nova Scotia, and directed him not to proceed with further grants until H. M. pleasure therein should be signified.

On tuesday, 4 Dec'r., 1759, the first session of the second assembly of Nova Scotia began. The following members were returned, as elected, by the provost marshal:

William Nesbit, Esqr.,	Sebastian Zouberbuhler, Esq'r.
Henry Newton, Esq'r.,	Mr. Philip Knaut,
Malachy Salter, Esq'r.,	Colonel Jonathan Hoar,
Mr. Jonathan Binney,	Mr. Isaac Deschamps,
Mr. John Burbidge,	Erasmus James Philips, Esq'r.,
Mr. Benjamin Gerrish,	John Newton, Esq'r.,
Joseph Scot, Esq'r.,	Winckworth Tonge, Esq'r.,
Captain Charles Procter,	Captain Simon Slocomb,
Mr. Michael Franklin,	Colonel Joseph Fry.
Mr. Archibald Hinshelwood,	John Huston, Esq'r.

(in all 20 members.) William Nesbit, esquire, was chosen speaker. The governor's speech congratulated the house and council on the fall of Quebec, "that barbarous metropolis" "from whence his good subjects of this province and the king's" "other American dominions, have groaned under such con-" "tinual and unpardonable wrongs." The oath of allegiance was taken, and the declaration subscribed by the members of the house. Mr. John Duport acted as secretary to the council. "Resolved, that the office of clerk to the assembly be executed by a member or members of the house." "Voted, that Mr. Hinshelwood and Mr. Deschamps be joint clerks to the house." "Voted, that John Calbeck be messenger and doorkeeper to

the house." Nesbit, Hinshelwood, Newton, Salter and Franklin, were appointed a committee to answer governor's speech. 5 December, 1759. In the answer of the House, they call "Cannada the mother and nurse of the most cruel, savage" "enemies to these his majesty's American colonies." They express the "grateful sense we have of your Excellency's "paternal care in the wise and prudent steps taken to engage "such great numbers of substantial and respectable protestant "families from the neighboring colonies to settle on the vaca-"ted and other lands of this province." Saturday, Dec'r. 8th, 1759. "The question being put, whether any money should be voted to the members of the House for their service during the present session, unanimously resolved in the negative, and that they will not put their constituents to any charge for their attendance." 11 Dec'r. Resolved, that the minutes of this house be printed weekly. 17 Dec'r. Rev'd. Mr. Wood appointed chaplain to read prayers every morning, at 3s. a day—to be paid by the members of the house. Wednesday, Dec. 19. His excellency sent to the house, accounts of duties collected, and of the disposal of them. [*See appendix to this chapter.*] Dec'r. 27. Petition from German settlers at Lunenburg, for a minister, German or English, and for an English schoolmaster. 31 Dec'r. Several bills received the governor's assent.

Governor Lawrence wrote at some length (10 Dec'r.) to the board of trade, replying to their despatch of 1 August, 1759. to excuse or vindicate the course he and his council had pursued in granting lands to the New England settlers. He quotes to them from their letter of 8 July, 1736, March, 10, 1757, and 7 Feb'y., 1758, in all of which they trace out the course he had pursued. He admits that in the last they mention the transmission of proposals of settlement for H. M. approval, but he did not understand it as an injunction against granting lands, or importing an intention to dispose of them otherwise than among H. M. subjects of the neighboring colonies. The frontier lands, including river St. John, Petitcoudiac, Memramcook, Chipodie, Shediac, Tatamagouche, Miramichi, Baie Verte, and part of Chignecto, equal to any in

fertility and convenience, are not granted or engaged; and if it is decided to make grants at the peace to officers and soldiers, will afford ample scope. He also says the late violent storm has done great damage. The dykes have been destroyed, and the marsh lands on the bay of Fundy have been all overflowed.

APPENDIX TO CHAPTER XXVI.

(1.)

Wednesday, December 19, 1759.

His Excellency the Governor sent the house the following accounts, viz't.:

An abstract of the state of the accounts of the new duty and bounty monies paid, viz't.

Expences of the late General Assembly,		£282 0 9
To the Overseers of the Poor,		100 0 0
For bounties on hay, roots and stone walls,		69 6 3
		£451 7 0
Balance in hands of the Treasurer,		1109 17 0
		£1561 4 0
Received from Mr. Newton,	£747 9 8	
Ditto from Mr. Salter,	813 14 4	
	£1561 4 0	

Halifax, Dec'r. 10th, 1759.

[Errors excepted.]

Signed BENJAMIN GREEN.

Abstract of the expence incurred by the Commissioners appointed for erecting a Light House and House of Correction, and carrying on other public works, viz't.:

Expended, as per vouchers in the hands of the treasurer, for the Beacon Light-house, House of Correction, Church, Meeting house and Gaol, £3820 14 11

N. B.—Appropriated out of the old duty money, viz't.:

For the Light-house,	£1000 0 0	
For the Work-house,	500 0 0	
For the Church,	400 0 0	
For the Meeting house,	100 0 0	
	£2000 0 0	
Surplus in the Treasury of the said duty money,	1535 3 8	
	3535 3 8	
Exceeding already made,	285 11 3	
	£3820 14 11	

There will be wanted to replace the exceedings already made, and to defray the expence yet unpaid, a sum not less by computation than £1500.

(Signed) BENJAMIN GREEN, JOHN COLLIER, CHARLES MORRIS, JOSEPH GERRISH, HENRY NEWTON, MALACHY SALTER, } Commissioners.

(2.)

In the Marriage Licenses this year I find—
26 July. Jonathan Binney, widower, and Hannah Newton, spinster.
8 Sept. George Suckling, widower, and Frances Duport, spinster.
11 Oct. Jonathan Prescott, widower, and Ann Blagdon, spinster.
I notice these as names connected with old families in the province.

CHAPTER XXVII.

1760. After the siege and fall of Quebec, the missionaries Menach and Maillard were disposed to induce their followers, both Acadians and Indians, to submit themselves to the English as a conquering nation. Boishébert, who had been left on the frontier of Nova Scotia to guard and promote French interests, was very angry with these priests, because they advised their people to submission. [*Memoires sur le Canada, pp.* 174, 175.]

In the assembly, on the 3 January, accounts were rendered, shewing the expenditure of £3820 14s. 11d. on the light-house and other public works. Of this sum, £987 5s. 5d. was for materials for the light-house—£452 10s. 10d. and £635 6s. 8d. on account of same establishment—£545 6s. 0d. for the work-house, and smaller sums spent on the church, meeting house, gaol, &c. Besides the £3820 14s. 11d., it was estimated that £1500 more would be required to complete these buildings; and on 5 Jan'y. both houses united in an address to the governor to expend £1000 towards their completion. In consequence of sickness of members, there could not be a quorum, and the governor, on 21 January, adjourned the assembly until the 4 February, when he again adjourned it for the same cause to 18 February. On monday, 18 February, the governor sent a message to the house by hon. Mr. Bulkeley, the provincial secretary, respecting a treaty he was concluding with the Indians of St. John river and Passamaquoddie, and overtures of submission made by the Micmacs. He pointed out the necessity of preventing private trade with the Indians—build-

ing truck-houses, and making them public presents. The building a market-house by lottery was also proposed. 23 Feb. there was no quorum, owing to relapse of sick members. This went on until 26th, when the governor adjourned the assembly to 10 March. On 10 March the house addressed the governor in congratulation on the victory of Sir Edward Hawke, 20 Nov. previous. On the 29 March the governor postponed the sitting of the assembly until 1 May.

On the 9 January, Roger Morris, an Indian, and four of his friends, presented themselves to the governor and council with overtures of peace, stating that a large number of the Micmacs were assembled on the coast not far from Halifax, with like intentions. They were sent back to their people, with assurances of friendship and readiness to make a peace.

M. Massé St. Maurice sent a memoir to M. Berryer, dated Versailles, 3 January, 1760. He says that general Murray, at Quebec, has 5000 men in garrison, and he proposes that the French should land troops at Manawagoniche, (near St. John, N. B.,) to go overland to Quebec. He says fort Latour, or St. John, is on the left bank of the river St. John, (now Carleton), and that it has a garrison of 150 English since its reduction. As 500 men would have to march 160 leagues or more through the woods to reach the Canada settlements, he suggests the use of nutritive powder, which had been prepared for a descent upon England. (The pemmican of the Indians is very like the supposed nutritive powder.) 10 March, Lawrence received letters from general Amherst, who was then at New York. He sends him a Gazette, containing the great and glorious success of "H. M. fleet, under the command of Sir "Edward Hawke, over the so long boasted one of monsr. de "Conflans," in November, 1759. The news came by the Earl of Leicester, packet, which arrived at New York 13 February. "Private letters by her add that three French men-of-war "were bilged in the riviere Villaine, and two other capital ones "run on ground flying into the river at Rochfort." (Hawke had 23 ships of the line, from 100 guns to 60; and 10 smaller vessels, from 50 guns to 32. The French had 21 ships of the line, from 80 to 64 guns; and 5 smaller vessels.) On tuesday,

the 11 February, colonel Arbuthnot, the officer who commanded at Fort Frederick, on the St. John river, came to Halifax, bringing with him two Indian chiefs of the Passamaquoddy tribe, to make peace on the basis of the old Indian treaty of 1725. They appeared before the governor and council with an interpreter, and it was agreed that the treaty should be prepared in English and French—that they should be sent back in a vessel to St. John, and that Arbuthnot should accompany them, taking the treaty with him to be ratified. On the 13th, the draft of the treaty was read in council, and approved. Mr. Benjamin Gerrish proposed to act as agent to buy goods, and sell them to the Indians for furs—to receive 5 per cent. on goods purchased, and 2½ p. c. on furs sold. Less than 20 p. c. on the prime cost charged to the Indian purchasers would cover all expences, per centages, &c., and the Indians could obtain the articles at least 50 per cent cheaper than hitherto. This proposal was accepted, and 16 Feb'y. the governor and council settled with the Indian chiefs a table of prices for furs. [*See appendix.*] These Indians stated their numbers at 500, men, women and children. The council decided to send a sufficient supply of provisions with them for their present wants, and that Mr. Gerrish should purchase such different sorts of merchandize as they had immediate occasion for. While the council were sitting on the 13th February, Roger Morris, (Micmac), and Claude René, chief of the Chibenacadie Indians, came in,—so did three Frenchmen, lately arrived from Pictou. The Indians had left about 70 of their people at Jedore, who had no resource but killing moose, and said the men would come up to make peace if they had provisions to leave for the women and children. It was then resolved to give them a row boat, with a barrel of flour, a barrel of pork, and two barrels of bread, to subsist the families on during their absence. Friday, 22 February. The Indian chiefs (from Passamaquoddy) attended the governor and council, and were presented with laced blankets, laced hats, &c. They were informed that similar presents would be sent to the chief of the St. John Indians—that the treaty of peace would be ready to be signed to-morrow, and that they should embark on sun-

day if the wind was favorable. On 23 Feb'y., Michel Neptune, chief, (Passamaquoddy), and Ballomy Glode, chief of St. John Indians, made a treaty, based on those of 1725 and 1749, adding an engagement not to aid the enemies of the English —to confine their traffic to the truck-houses at Fort Frederick or elsewhere, and to leave three of each tribe resident there as hostages to ensure performance of the articles. Saturday, 23 Feb'y., the treaties of peace with the Indian chiefs of the tribes of St. John's river and Passamaquoddy, were signed by the governor and the chiefs. Friday, 29 Feb'y. Paul Laurent, chief of Lahéve, and Michel Augustine, chief of Richibucto, came in with a letter from colonel Frye, the commanding officer at fort Cumberland, to make peace. As it appeared that all the Micmacs were willing to make treaties on the terms already granted to the St. John and Passamaquoddy tribes, it was resolved to make peace with each chief who came in, and afterwards to have a general treaty signed at Chignecto; and that truck-houses should be established. 10 March, monday, treaties of peace were signed in council with

Paul Laurent, chief of Lehave,
Michel Augustine, Richibucto,
Claude René, Chibenacadie and Muscadoboit,

and they received the usual presents.

On the same day, governor Lawrence informed the council that a complaint had been made to him by the justices of the Inferior court against Mr. Monk, one of their number, for neglect of attendance, &c.; that Monk had told him if he was removed from office, he would print the affair, and that £1000 would be subscribed to enable him to appeal it to the king in council. The council held Monk guilty of high indignity and contempt, and referred to some alleged ill conduct of his in 1753, and advised his removal from his offices of judge of the Inferior court and of justice of the peace. [Mr. Monk was the father of Sir James Monk, chief justice of Canada, and of George Henry Monk, one of the judges of the Supreme court of Nova Scotia. The family were of high origin, their head being duke of Albemarle, the restorer of the monarchy. The branch that resided in Nova Scotia, were all remarkable for

learning and refinement. The writer remembers, with great pleasure, the family of judge George Henry Monk, frequently called major Monk, having been an officer in the army. The late bishop Monk was a near connection.] Judge G. H. Monk was married to miss Gould. He lived in Halifax, opposite to the site of the present Halifax hotel.

The English parliament had voted 12 February—

"Upon account for supporting and maintain-"
"ing the settlement of H. M. colony in"
"Nova Scotia, for 1760," £11,785 6 10
For the same in 1758, not provided for, 5,851 4 5

Amherst writes to governor Lawrence, from New York, 4 March. He expresses anxiety that lord Colville may use the English naval force to prevent succors and cut off intercourse between Canada and France. He states that 6000 Canadians had taken the oaths of allegiance to England, and seemed pleased with the change of masters. On 5 April he writes again, regretting he can not send additional troops to Nova Scotia, having been obliged to send troops to Carolina 'to punish the perfidiousness of the Cherokee Indians.' He adds: "I must not omit my most grateful acknowledgments" "for your very kind and civil invitation of me to your house," "in case I should go up the river St. Lawrence. If I do, and" "I am obliged to call in at Halifax, I shall, notwithstanding" "the inconvenience it may put you to, accept of your polite" "and friendly offer." In the spring of this year, the chevalier de Levis, who, after the death of Montcalm, had become the chief military officer of the French, with about 3500 regulars, about the same number of militia, and a few hundred Indians, with 6 frigates who came down the river with the baggage, ammunition, &c., came down to Quebec, and the French army got to the heights of Abraham, near Quebec, about the end of April. General Murray came out from Quebec to meet them, with 3000 men, but after a sanguinary conflict, in which near 1000 of the English were killed and wounded, Murray had to retire into the fortress of Quebec. The English lost about 250 killed, and over 700 wounded; among the killed was major Hussey, of Lascelle's regiment. The besiegers had

little or no cannon, and the arrival of English frigates (lord Colville having left Halifax 16 April with his squadron) caused the French to raise the siege in the middle of April with great precipitation. The English garrison suffered severely by scurvy, attributed to want of fresh meat and vegetable food, and a cold climate, 1000 dying of this disease.

Mr. Pitt, 9 Feb'y., ordered that the fortress of Louisbourg should be demolished, and the harbor to be made as impracticable as may be, the garrison, artillery, stores, &c., to be sent to Halifax. The lords of trade, meanwhile, had approved of governor Lawrence's proceedings in the settlement of the province, which, he says, relieved him from great anxiety. They had desired that lands should be reserved as a reward and provision 'for such officers and soldiers as might be disban-' 'ded in America upon a peace.' He therefore had desisted from making any further grants of the cleared lands. As to the Atlantic coast of the province, 'which is altogether un-' 'cleared,' he proposes to settle it with fishermen and farmers as fast as possible. He had sent Mr. Morris, the surveyor, in one of the province vessels, along the coast to the Westward, to lay out and adjust the limits of the townships for fishery, at one of which (Liverpool) fifty families and six fishing schooners had already arrived. Morris was thence to proceed to Annapolis, Mines and Pisiquid. Forty families had arrived to settle in that direction, and transports, &c., were expected with more from Connecticut. In January, he had sent for 300 French inhabitants of St. John's river, whom he had now, (11 May) in Halifax, as prisoners, until he could send them to England. He states to the lords of trade the treaties he had made with the Indians—the exclusion of private trade with them—the establishing of truck-houses and Benjamin Gerrish as commissary, and had induced the assembly to pass a law, with severe penalties, against private trading with the Indians. He mentions the two grants of 1736, each of 50,000 acres. Not more than one or two of the grantees remained in the province. There was no prospect of improvement by the grantees. The conditions were all unperformed, and above £8000 quit rent on them was due to the crown,—none had

ever been paid. He had appointed a commissioner, who had, with a jury, tried the question, and they found the conditions had not been fulfilled. The proceedings would be returned into chancery, and he could then regrant these lands to industrious settlers. He says: "According to my ideas of the "military, which I offer with all possible deference and sub-"mission, they are the least qualified, from their occupation as "soldiers, of any men living to establish new countries, where "they must encounter difficulties with which they are altoge-"ther unacquainted; and I am the rather convinced of it, as "every soldier that has come into this province since the "establishment of Halifax, has either quitted it or become a "dramseller." During this spring, many of the New England soldiers at Chignecto and St. John's river left, notwithstanding all persuasion, (their time of enlistment being probably expired.) From Fort Frederick, on the St. John, 70 of them went off openly in one schooner, and 80 in another.

A severe fire had occurred at Boston, 20 March, in which near 400 buildings were destroyed, and property consumed above £100,000 sterling in value. Pownal wrote circulars to the governors on the continent; and 25 May, he writes to Lawrence, thanking him and the people of Nova Scotia for their contributions in aid of the sufferers. Same date he states that he is about to leave directly for England. 31 May, general Whitmore received an order, under the king's sign manual, for demolition of the fortress of Louisbourg, where he commanded, and he at once set his men to work to carry out his instructions.

Early in June, the settlers at Liverpool (port Rossignol) amounted to 70 heads of families, with a considerable number of live stock, and 13 fishing schooners, which were then on the banks. Those on shore were putting up houses. They had erected three saw mills. Mr. Morris reported favorably of the families that had come to Horton, Cornwallis and Falmouth. In May, forty settlers arrived at Annapolis, and a committee for Granville to lay out lots. Mr. Morris left Annapolis 30 May, and arrived 31st at Pisiquid, (Windsor.) On 1 June, there came up to that place captain Rogers, with six

transports, bringing inhabitants principally for the township of Mines, (Horton.) They had been out 21 days, and suffered much for want of sufficient provender and hay for their stock. Their cattle were landed at Pisiquid, to be afterwards driven to Mines. Many families were left at New London, with their cattle, not finding room in the transports.

In May, six French ships of war had left Bourdeaux, having troops and horses on board, intended for the garrison of Montreal. Three of them were taken in the channel, and three others arrived in the gulf of St. Lawrence, with the view of going up the river past Quebec. They captured some English craft, and ascertained that lord Colville's squadron were at sea, on which they made for the bay of Chaleur—landed troops at Ristigouche, and built a battery, sending overland to notify Vaudreuil. They were not long there when commodore Byron, of the Fame, 74, followed shortly after by four other English men-of-war, came to the place, from Louisbourg, where they had been sent to protect the garrison in demolishing the fortifications. Byron got to Ristigouche 24 June. The French batteries were manned by 250 soldiers, 700 Acadians, and 800 Indians. The larger English vessels could not get up high enough for some days; but on 8 July, the French were overcome. The loss to the English was 12 killed, and as many wounded. The French had 30 altogether killed and wounded. They took 3 French vessels, the Machault, 32, Bienfaisant, 22, Marquis Marloze, 18, and 19 small vessels, most of them English traders which the French had taken; their batteries, were all destroyed, and the settlement totally ruined. Lord Colville, in his letter to Mr. Pitt, says 200 houses were destroyed, but it would seem that they were not on the Ristigouche, as we find that, although there was a town begun there, with fortifications, called Petite Rochelle, near the mouth of the river, the place was probably small at that time,—while at Beaubair's point, on the Miramichi, there was a town of 200 houses, and a chapel, which Byron destroyed in 1760. On Beaubair's island, (since owned by messrs. Fraser), there was a battery that commanded the river, and at French fort cove the fortifications mounted sixteen guns. At Fawcett's point,

the French had a ship-yard, an armory, and valuable stores, (storehouses.) The island and point were named after Pierre Beaubair, who superintended the colony. He died in 1757. [*Annual Register for* 1760, *p.* 134. *Cooney's N. Brunswick*, 30. *Gesner's N. B.*, 43.]

11 July. Abbé Ménac, (called also Manach and Miniac), missionary of the bay *des Ouines*, or Miramichi, transferred himself, with 15 Acadian families and some Indians, to the interest of the English. He abandoned a rich chapel, enjoining openly on the Acadians to act in favor of the English. [10 *N. York Doc's.*, 1133.] Whitmore recommends Maillard to governor Lawrence as a useful instrument in promoting peace with the Indians. Fort Frederick, at St. John river, was in need of great alteration to make it defensible, as lieut. Tonge reported. The campaign in Canada was, in August, making progress, Amherst taking with him from Crown point about 5000 men. Monckton was to join him at Oswego, from Fort Pittsburgh; and colonel Haviland, with 2500 regulars, and brigadier Ruggles, with 3000 provincials, were to advance at the same time.

The removal of Mr. Robt. Grant from council, on the ground of his absence, was complained of by him to the lords of trade; and there is a letter of Lawrence to them on the subject, of 1 Sept., which shews that personal ill feelings existed between the governor and this gentleman. Whether either or both were to blame, can be of little import now.—The committees of the townships of Truro and Onslow, at Cobequid, requested aid in cutting roads between the several lakes that lie between Fort Sackville and their townships, and the council (5 August) advised that provisions be allowed them while actually employed in the work. Three or four hundred Acadians, assembled at this time at fort Cumberland, submitted themselves to be disposed of at the pleasure of the government; and colonel Frye, who commanded there, expected to receive similar proposals from 700 more who were at Ristigouche. The council advised that vessels be hired to bring round such of them as could not travel by land to Halifax. £100 was voted by the council to William Nesbitt, esq., for his extraordinary services

as attorney general for the current year, out of the provincial funds. This vote passed saturday, 27 Sept'r., 1760—present, his excellency the governor, and messrs. Belcher, Green, Collier, Bulkeley and Gerrish, councillors, being the last meeting of council that Lawrence attended.

Paul Mascarene died this year, he who so long commanded at Annapolis Royal, as president, and had gradually obtained higher military rank, being made major general in November, 1760. Those readers who have given attention to our former pages, need not be reminded of the eminent qualities of this gentleman and soldier. In his portrait, still extant, where he is shewn in armor, there is much to admire. In his moral qualities, patience, and strict perseverance in loyalty and duty. His just influence with the French and Indians, acquired by his talents and accomplished behavior, and in his great honesty of character, he has left a pattern that all may appreciate, though few will undertake to copy. Without interest or favor, his services were undervalued and unrewarded, but at all times he went on in the straight path of honor. His career illustrates the passage in Butler:

> "But loyalty is still the same,"
> "Whether it win or lose the game;"
> "True as the dial to the sun,"
> "Which turns, altho' not shone upon."

In this year also captain John Rous died. In 1744 he was master of a Boston privateer, and in the end of July he arrived at St. John's harbor, in Newfoundland, from the great Banks, bringing in eight French vessels, with 90,000 mud fish. In August, the British man-of-war stationed at Newfoundland fitted out a ship, commanded by captain Cleves, with some small craft, and 50 marines. Rous, in his vessel, accompanied them, and they sailed in quest of the French ships that cured codfish in the Northern harbors of Newfoundland. On the 18 August, at Fishot, they took five good French ships, some dried fish but not well cured, and 70 tuns of liver oil. Thence they proceeded to the harbors of St. Julian and Carrous. In 1745, he commanded the Shirley, galley, at the first siege of Louisbourg, and was sent by Pepperell with dispatches of the

victory to England, and made a captain in the Royal navy 24th Sept'r., 1745. He continued in employment on the Nova Scotia station, where, in 1755, he commanded the naval forces at Chignecto; and after Beauséjour fell, was ordered to the river St. John. In 1756 he commanded the Success, 22; and in 1757, the frigate Winchelsea, 20; in 1758, the Sutherland, 50, at the second siege of Louisbourg; and in 1759, at the siege of Quebec. It was from this ship Wolfe issued his last order before ascending the heights of Abraham. On all occasions he was active, skilful, and fully relied on. In 1754 he was made a member of H. M. council for Nova Scotia.

In September, Amherst completed the conquest of Canada. On the 7 Sept'r., (sunday), the town of Montreal was invested by three armies, whose total exceeded 32,000 men. The principal one came by lake Ontario, under Amherst himself; the second by lake Champlain, under Colonel Haviland, and the third from Quebec, in ships, under general Murray. As the English advanced, the inhabitants gave way to the superior force of the invaders. The domiciliated Indians left the French standard, and either acted as guides to the English, or in some cases took an active part against their old friends. The French troops amounted only to about 4000 men, (including 650 colonial.) On the 8th, Vaudreuil capitulated. The honors of war were accorded to the garrison who engaged not to serve against England during the present war. The free exercise of religion was secured to the Canadians, and the church and religious orders were to retain all their property. On returning to France, Vaudreuil was sent to the Bastille—was finally acquitted in December, 1763, and died in 1764. François Bigot, the intendant, was also imprisoned in the Bastille. More than fifty persons, accused or suspected of malversation and fraud in the receipt and disbursements of the French government in Canada previous to the conquest, were tried by a royal commission, appointed in December, 1762. In 1765, they freed M. Vaudreuil of all blame—sentenced Bigot to restore to the king four and a half millions of livres, and to be banished for life, and other officers of the colony to restore various sums, and to banishment for certain periods. The sums ad-

judged to be made good amounted in all to 12,695,000 livres. Bigot was sent to Bourdeaux, where he is said to have lived in ease and comfort. His character belongs to Canadian history, and is very remarkable, combining some generous qualities with remarkable profligacy; and one can hardly doubt that his conduct tended to the fall of the province, as he not only wasted the public resources, but permitted, if he did not encourage, his subordinates to follow his example.

On the very day that Vaudreuil surrendered Montreal and all Canada to Amherst, monday, 8 Sept'r., Lawrence, who had not been permitted to participate in the campaigns of this or the year before, opened the second session of the second general assembly of Nova Scotia, at Halifax. Nesbit was speaker, and Isaac Deschamps clerk, of the representative body. The governor, in his speech, mentions a recent tour he had made through the province—commends the settlement of Liverpool and the new townships in the bay of Fundy, and anticipates that by their aid Halifax will prosper as a commercial port.—The house again voted that they would not put their constituents to any charge for their attendance. The council refused to pass a private divorce bill, as no decree of divorce was offered to support it; and twenty acts in all were passed, the most important one being a law for commissioners of sewers, then essential to the repair and extension of the dykes in the marsh lands on the bay of Fundy. Accounts were exhibited for £6832 17s. 7d. expended on public buildings—light-house, work-house, church, meeting-house and gaol; and it was supposed £1000 more was due on this account. The light duties collected in 1760 came to £262 14s. 4d., and the expences for oil, keeper, &c., paid, were £256 6s. 6d. The economy of public money of those days is highly praiseworthy; and the gentlemanly feeling that prevailed, inducing the members to serve wholly at their own expense, is pleasing to observe. Nor ought we to forget the gratuitous services of the members of council from 1720 down to the middle of the present century. The governor closed this session on saturday, 27 September. The whole business was thus despatched in less than three

weeks. It is not impossible that part even of this short term may have been employed in social and kindly meetings.

While building was the chief concern in Halifax, pulling down and levelling held the upper hand at Louisbourg. The fortifications were mined and blown up—the stones lay in heaps—every glacis was levelled, and the ditches filled up. The citadel, west gate and curtain, were the last destroyed. All the guns, mortars, shot and implements of war, as well as the picquets, Portland stone, &c., were carried to Halifax. Part of the barracks were repaired, so as to offer accommodations for 300 men when requisite, and the hospital and private buildings were left standing.

The Cherokees were this year subdued by colonel Montgomery, and 1200 men, sent by Amherst to help the Southern colonies.

Governor Lawrence was taken ill on saturday, 11 October, of a fever and inflammation of the lungs, attributed by tradition to a draught of cold water, taken when he was heated by dancing at a ball;—of which he died on sunday, the 19th, of the same month. He was, it is said, in the prime of life, and he certainly stood high in the estimation of all the colonists. During the eleven years he had spent in Nova Scotia, he occupied either the chief or a prominent position in all its affairs, both civil and military, and won the respect and confidence as well of the authorities in England as of the settlers in this country. He was actively engaged at Chignecto and at Lunenburg in laying the foundations of towns and villages, and after the expulsion of the Acadians was the chief mover in bringing hither the New Englanders as emigrants to re-people our Western districts. In the expulsion itself he was deeply engaged, and the praise or blame of it—perhaps both—belong largely to him. He was a man inflexible in his purposes, and held control in no feeble hands. Earnest and resolute he pursued the object of establishing and confirming British authority here with marked success; and the obedience and loyalty he wished to predominate have ever since been governing principles with the general body of our population.

APPENDIX TO CHAPTER XXVII.

(1.)

16 February, 1760, the governor and council and the Indian chiefs settled a table of prices.

THE TABLE.

That a pound of the best spring beaver be valued at five shillings, and that two pounds of spring beaver be equal to three pounds of fall beaver.

That a loutre or otter skin be esteemed equal to a pound of spring beaver.

That three martre, sable, or martin skins, be esteemed equal to a pound of spring beaver.

That a pequan or fisher's skin be equal to a pound of spring beaver.

That six foins or vizons, or minks skins, be equal to a pound of spring beaver.

That an ours or bear skin, large and in good season, be equal to a pound and one-third of spring beaver, and others in proportion.

That a Renard rouge, red fox skin, be equal to half a pound of spring beaver.

That a renard noir, black fox skin, be equal to two pounds of spring beaver.

That a renard argenté, silver'd fox skin, be equal to two pounds and a half of spring beaver.

That ten rats musqué, musquash skins, be equal to a pound of spring beaver.

That loup marins, seal skins, from three feet and a half long to twelve feet long, be valued from eight pence to three shillings and four pence each.

That a large orignol (orignal) or moose skin, be equal to a pound and a half of spring beaver. and in proportion for smaller.

That a large loup servié, (loup cervier), cat's skin, be equal to two pounds of spring beaver, and in proportion for smaller.

That five pounds of *deer*, *cerf*, Chrevreux, (chevreaux, kids) deer skin, be equal to a pound of spring beaver.

That ten blette, *(un herb, hermine, ermine)*, blettes, ermin skins, be equal to a pound of spring beaver.

That six pounds of plumes, feathers, be equal to a pound of spring beaver.

That a large blanket be sold for two pounds of spring beaver.

That two gallons of rum be sold for one pound of spring beaver.

That two gallons and a half of molasses be sold for one pound of spring beaver.

That thirty pounds of flour be sold for one pound of spring beaver.

That fourteen pounds of pork be sold for one pound of spring beaver.

That two yards of stroud be sold for three pounds of spring beaver.

And that the prices of all other kinds of merchandize, not mentioned herein, be regulated according to the rates of the foregoing articles.

(2.)

31 March, 1760. The House of Commons voted £200,000 to compensate the North American provinces for expences of levying, cloathing, and pay of troops raised by them. The king to apportion it. [*Universal Magazine for* 1760, *v.* 27, *p.* 143. *From Gentlemens' Magazine for* 1769, *p.* 297.]

March 15. (Married.) Governor Wentworth, of New Hampshire, to miss Hilton.

(3.)

Extract of a letter from colonel Frye to the governor of New England, dated Fort Cumberland, Chignecto, March 7, 1760:

"I informed your excellency in my last, of the 10th of December, of the submission of the French peasants residing at Merimichi, Rishebucta, Bouctox, Pircondiack and Mamerancook, made by their deputies sent here for that purpose. On the 30th of January last, Mr. Manach, a French priest, who had the charge of the people at Merimichi, Rishebucta and Bouctox, with a number of principal men of those places, arrived here, when they renewed their submission in a formal manner, by subscribing to articles, (drawn suitable to the case), whereby, among other things, they have obliged themselves and the people they represent, to come to Bay Verte, with all their effects and shipping, as early in the spring as possible, in order to be disposed of as governor Lawrence shall direct. With the French priest came two Indian chiefs, viz., Paul Lawrence and Augustine Michael. Lawrence tells me he was a prisoner in Boston, and lived with Mr. Henshaw, a blacksmith; he is chief of a tribe that before the war lived at Laheve; Augustine is chief of a tribe at Rishebucta. I have received their submission for themselves and tribes, to his Britannic majesty, and sent them to Halifax for the terms by governor Lawrence. I have likewise received the submissions of two other chiefs, whom I dealt with as those before mentioned, and was in hopes (which I mentioned to Mr. Manach) I had no more treaties to make with savages; but he told me I was mistaken, for there would be a great many more here upon the same business as soon as the spring hunting was over; and upon my enquiring how many, he gave me a list of fourteen chiefs, including those already mentioned, most of whom he said would come. I was surprised to hear of such a number of Indian chiefs in this part of America; and Mr. Manach further told me that they were all of one nation, and known by the name of Mickmacks; that they were very numerous, amounting to near 3000 souls; that he had learned their language since he had been amongst them, and found so much excellence in it, that he was well persuaded that if the beauties of it were known in Europe, there would be seminaries erected for the propagation of it. How that might be, is better known to him than to those who know nothing of the language; but I think I may venture to say, that if there be so many Indians as he says there are, I know this province, as it abounds very plentifully with furs, may reap a vast advantage by them, provided Canada returns not into the hands of the French." [*Annual Register*, 1760, *p.* 98. *Lond. Mag.*, 1760, *p.* 377.]

(4.)

New York, September 25.

On Saturday morning, about nine o'clock, arrived here major McLean, from general Amherst, at Montreal, which he left the Saturday night before, with expresses, containing a full confirmation and account of the surrender of the French army, the town of Montreal, and all Canada.

Sept. 8. At break of day the capitulation was signed. The grenadiers and light infantry then marched into the town, commanded by colonel Haldimand, in the following order of procession, viz.:

I. A 12-pounder, with a flag; and a detachment of royal artillery.

II. The grenadiers of the line, commanded by colonel Massey.

III. The light infantry of the line, commanded by colonel Amherst,

Each with a band of music before them; and the eldest ensign in gen. Amherst's army to take possession of the colors of the 8 French regiments.

Sept. 9. The colours of Shirley's and Pepperell's regiments, lost at Oswego in 1756, were marched out of Montreal by a detachment of grenadiers and a band of music, and carried down the right of our line to the head quarters, where they were lodged.

GENERAL ORDERS.

Camp before Montreal,
Sept. 9, 1760.

Parole. King George, and Canada.

The General sees with infinite pleasure the success that has crowned the indefatigable efforts of his majesty's troops and faithful subjects in America. The marquis de Vaudreuil has capitulated; the troops of France in Canada have laid down their arms, and are not to serve during the war; the whole country submits to the dominion of Great Britain; the three armies are entitled to the General's thanks on this occasion; and he assures them that he will take the opportunity of acquainting his majesty with the zeal and bravery which has always been exerted by the officers and soldiers of the regulars and provincial troops, and also by his faithful Indian allies.

The General is confident, when the troops are informed that this country is the king's, they will not disgrace themselves by the least appearance of inhumanity, or by unsoldier-like behaviour in taking any plunder, more especially as the Canadians become now British subjects, and will feel the good effect of his majesty's protection. [*Annual Register for* 1760, *p.* 149.]

CHAPTER XXVIII.

On the death of Lawrence occurring, the council assembled. (sunday, 19 October.) Present: the hon. Jonathan Belcher, esquire, the president; Benjamin Green, John Collier, Richard Bulkeley and Joseph Gerrish, councillors. A proclamation was agreed on, to be signed by Mr. Belcher, to notify the public that he assumed the command of the province, its government devolving on him by the death of Mr. Lawrence, and requiring all officers to continue, &c. It was also resolved that the expence of the funeral should be defrayed out of the province money.

At this time it appears that the new settlements were aided by grants of provision from this government.

King George the second died at Kensington palace on the 25 October. He was in his 77th year. His end was sudden, owing to a rupture of the right ventricle of the heart. He was born in 1683. He fought under Marlborough, at Oudenarde, in 1708; and on his father's accession to the crown in 1714, was made prince of Wales, by patent, and became king on his father's death; 11 June, 1727.

In council, 23 December. A table of fees was passed, for clerk of peace, clerk of inferior court, attorney's fees, provost marshal's fees. 30 Dec'r., fees of secretary of province, and chief surveyor of lands on grants of lands, were adopted.

1761. 10 January, the hon. Edward Boscawen, admiral of the blue, general of marines, and one of the lords of admiralty, died. He is said, by tradition, to have been a small man, with

his head set somewhat awry, but his courage and conduct as a sea officer were conspicuous. 12 January, the council voted "out of the old duty money," salaries to the justices of the 'Inferior Court of Common Pleas,' for the year 1760: to Charles Morris, £75; and to John Duport, Joseph Scott and Joseph Gerrish, each £50; and to Edmund Crawley, £25; to the clerk of the supreme court, £20, and to Joseph Gerrish, for former services at supreme court, £30. Malachy Salter was appointed to collect the light duties, and furnish supplies to the light-house. On the 20 January, 1761, the sum of £10,595 12s. 9d. was voted by parliament for supporting and maintaining the settlement of Nova Scotia for 1761.

On the 11 February, 1761, wednesday, the proclamation of the new king, George the third, took place, in consequence of despatches from the lords of trade, dated 31 October, 1760. President Belcher, messieurs Collier, Morris, Bulkeley and Gerrish, (councillors), lord Colville, naval commander in North America, and colonel Forster, commanding the troops of his majesty in this province, together with the principal inhabitants of the town of Halifax, and a number of officers of the army and navy, assembled at the court-house. The order of the privy council, declaring the king's demise, and directing George the third should be proclaimed king, was read, and the proclamation to that effect was signed by the president and council—by lord Colville—by officers, civil and military—the clergy, and the principal inhabitants. They proceeded from the court-house in the following order, viz.:

1. A company of grenadiers.
2. Constables.
3. The magistrates.
4. Civil officers.
5. Constables.
6. The provost marshal, with two deputies, on horseback.
7. A band of music.
8. Constables.
9. The commander-in-chief of the province, with lord Colville and colonel Forster, and the members of his majesty's council.

10. The speaker and members of the house of assembly, followed by the principal inhabitants.

And his most sacred majesty king George the third was proclaimed, amidst the acclamations of the people, at the five following places, viz.:

At the court-house door.

At the north gate of the town.

Before the governor's house.

At the south gate of the town.

'And lastly upon the parade, where the whole of the troops' 'off duty (who made a very good appearance) were drawn up' 'under arms; after which was read H. M. proclamation for' 'continuing the officers in the plantations till H. M. pleasure' 'shall be further signified. Upon his majesty's being pro-' 'claimed a fifth time, a Royal salute of twenty-one guns was' 'fired from the batteries, which was answered with three' 'vollies by the troops under arms; and during the procession' 'the commodore lord Colvill's ship, the Northumberland,' '(70 guns, with the Royal standard and Union flag hoisted),' 'fired the Royal salute, which was followed by each of H. M.' 'ships in the harbour, separately, according to the seniority' 'of their respective commanders. At 3 o'clock the company' 'waited on the commander-in-chief at the "*Governor Law-*' '*rence's Head Tavern*," where a very elegant entertainment' 'was provided for them, and after dinner his majesty's health' 'was drank under a Royal salute of cannon from the bat-' 'teries,—and thereafter those of the princess dowager of' 'Wales, and all the Royal family, and many other loyal toasts;' 'and the evening concluded with great rejoicings and most' 'beautiful illuminations, bonfires, and artificial fireworks' 'played off by the Royal artillery, the best designed and the' 'best executed of anything of the kind that has been hitherto' 'seen in North America, and in short the whole was conduc-' 'ted with the highest elegance, and the greatest regularity' 'and decorum.'

On tuesday, 17 Feb'y., the president, council, officers of the army, and chief inhabitants, went in mourning dress in procession from the government house to St. Paul's church, at

11, A. M., where a funeral sermon was preached by the Rev'd. Mr. Wood, on the demise of George the second. The pulpit, reading desk and governor's pew, were hung with black cloth. Minute guns were fired from the batteries. The guns continued firing for an hour and a half, and the flags at the citadel and George's island were hoisted half-mast high during the day; and assemblies for diversion were suspended, by order, for the space of one month, as part of the general mourning.

All the French in Canada, of any distinction, went into mourning for George the second; and in an address from the officers of militia and the merchants of Montreal to general Gage, they speak of the 'mildness and moderation of their' 'new masters,' and say they were treated 'more like victors' 'than vanquished.'

Monday, 16 Feb'y., the council met, Alexander Grant, who had been appointed a member on the 13th by Mr. Belcher, being present. They voted £47 14s. 11d. 'for erecting a' 'steeple on the German meeting-house in the north suburbs,' (a little wooden building near the old Dutch burial ground, still in existence on a corner of Brunswick street.) Next they decided that the assembly of the province was dissolved by the king's demise, and resolved that writs should issue to call a new house, returnable on the 8 April next, viz.: for the county of Halifax, two members; town of Halifax, four; county of Lunenburg, two; town of Lunenburg, two; county of Annapolis, two; town of Annapolis, two; King's county, two; town of Horton, two; Falmouth, two; Cornwallis, two; Liverpool, two;—in all, 24.

20 Feb'y. Archibald Hinshelwood and Michael Francklyn, esquires, were appointed justices of the peace for the county of Halifax.

(The historian, father Charlevoix, to whom we are so much indebted for the early history of Canada and Acadie, died in February, 1761.)

4 March. The council voted £40 to Mr. John Dogget for his outlay and expences in the settlement of Liverpool, under the instructions of the late governor Lawrence.

Robert Monckton, esquire, was made governor of New York 20 March, 1761, in room of Sir Charles Hardy, resigned.

M. Menac, the priest, having publicly drank the health of the Pretender, and endeavored to draw the Indians to the French interest, was apprehended, and to be sent as a prisoner of war, in H. M. ship Fowey, to England. Amherst writes, 28 April, 1761: "I have sent your dispatches to capt." "Tonyn, who takes Manac, the priest, with him, when he" "sails from hence." The desire to rid the province of the Acadians who had not been yet removed, gave rise to a kind remonstrance from general Amherst, dated New York, 22nd March, 1761. In this he points out that no danger can arise to the province from suffering them to remain, while they would create heavy expence in their transportation and maintenance.

President Belcher apprehended mischief from the Acadians remaining at Ristigouche and that vicinity, in privateering against English trade, and interfering with the new settlements projected at Chignecto. Want and terror only, he thought, had produced submission on the part of any of the Acadians. There were about forty of them remaining at the village of St. Ann's, on the St. John river, who, as yet, had made no offers of surrender, and received subsistence from the Indians whom they excited to mischief. Maillard notified the government that the Indians of St. John's river had declared their intention of doing mischief to the English. Many of the inhabitants now at Ristigouche had been proprietors of land at Chignecto, and cherished the hope of regaining them from the English, being misled by French advisers. Belcher imagined that if the new British settlers, who were expected at Chignecto in the coming summer, should find that two or three persons were killed among them by these disaffected exiles, they would take alarm and abandon the ground, and that other settlements would be consequently much obstructed. Actuated by these ideas, he applied to lord Colville and general Amherst for naval and military aid to avert the mischief he thought impending. Lord Colville promised to do all he could, and general Amherst (in his letter dated New York, 15 April),

endeavors to re-assure him, impressing on him how safe the province would be from such dangers as he anticipates, with only two companies of Rangers. He promises a close attention to the safety of Nova Scotia, and sends colonel Bastide, the engineer, to superintend some fortifications at Halifax, which he thinks necessary. At this time, Henry Ellis, esquire, who had been governor of Georgia in 1758, was appointed governor of Nova Scotia, but he never came here to assume the command.

Major-general Sir Jeffery Amherst was installed as a knight companion of the bath. "Mr. Willoughby, a person of con-"siderable substance, applied for and obtained another half "right in the township of Cornwallis."

Colonel Elliot, with a party of soldiers, was wrecked on the isle of Sable in the early part of this year. [*Appendix No.* I.]

In May, 1761, captain Dogget was directed to receive on board the vessel he is to hire in New England, 20 families, and 60 head of cattle, their stock, to be transported from the eastern part of New England to Liverpool, N. S., at the expence of government. 6 June. £35 was granted towards the transportation of 20 families, consisting of 87 persons, with 79 head of cattle, with other stock and utensils, from the continent to the township of Amherst; and further aid was prayed for seven other families expected. £30 was granted for aid in bringing settlers to Chester, and £50 voted to Leonard Christopher Rudolf, esquire, for his services as magistrate at Lunenburg. 16 June, it was understood that there were 42 French inhabitants at St. Ann's, on the river St. John, about 75 miles from fort Frederick, and 10 or 12 at the village Grimross, about 45 miles from the fort. 25 June, treaties of peace were signed with Indian chiefs.

26 June. Malachy Salter, being collector of the excise duties, and also a justice of the peace, committed a soldier to gaol for selling liquors in the camp, without license from the commander-in-chief. The soldier had license from the commander of the troops and Mr. Hill, adjutant of the 1st or Royal regiment. On complaint of the soldier, the council liberated him, and resolved to consider the question. Richard Lodge, of Yar-

mouth, was made justice of the peace, on the recommendation of messrs. Rundel, Crawley and Young, proprietors in that township.

Major-general Bastide desired to obtain a title to the ground he intended for fortifications, and a grant of such portions of citadel hill as had not become private property was advised.

The provincial assembly met at Halifax on wednesday, the 1 July, 1761, being the third general assembly.

List of the members returned by the provost marshal.

William Nesbit, Esqr., Michael Francklin, Esqr.,	County Halifax.
Malachy Salter, Esqr., John Burbidge, Esqr., Jonathan Binney, Esqr., Mr. William Best,	Town Halifax.
Arch'd. Hinshelwood, Esqr. Mr. Joseph Pernette,	County Lunenburg.
Sebast. Zouberbuhler, Esqr. Mr. Philip Knaut,	Town do.
Benjamin Gerrish, Esqr., Mr. Nathan Tupper,	Town Liverpool.
Joseph Woodmass, Esqr., John Steele, Esqr.,	County Annapolis,
Joseph Winniett, Esqr., Mr. Thomas Day,	Town do.
Colonel Robert Denison, Charles Morris, junr., Esqr.	County King's county.
William Welch, Esqr.. Mr. Labbeus Harris,	Town Horton.
Colonel H. D. Denson, Isaac Deschamps, Esqr.,	West Falmouth town.
Dr. Samuel Willoughby, Capt. Stephen West,	Town of Cornwallis.

Mr. Nesbitt was again chosen speaker.

Mr. Belcher addressed the two houses, referring to the king's death, &c. Hinshelwood and Deschamps were chosen joint

clerks of the house; Rev. Mr. Wood, chaplain; John Callbeck, messenger and doorkeeper. Messrs. Salter, Gerrish, Hinshelwood, Denson and Burbidge, were a committee to draw up an answer to president Belcher's speech.

The house again resolved that they would not put their constituents to any charge for their attendance. 21 July. The house requested the commander-in-chief to establish Inferior Courts of Common Pleas in every county. 23 July, voted to buy the statutes at large, with the best abridgment thereof. 24 July. Belcher informed the assembly that the king had appointed Henry Ellis, esquire, governor, and recommended them to arrange for his public reception. The joint committee of both houses recommended that "all the members of" "H. M. council and the house of assembly who shall be in" "town at the time of his excellency's arrival, do receive him" "at his landing, to congratulate him on his arrival in his" "government, and do attend him to his house; and those" "gentlemen who shall be present at that time be a committee" "to give orders and directions for the preparation of an enter-" "tainment for his excellency suitable to the occasion, and" "that an invitation be given to all the magistrates, gentle-" "men, and principal merchants of the town, to dine with his" "excellency and the members of H. M. council and the mem-" "bers of the assembly, at such place as the said committee" "shall appoint." Saturday, 8 August, 1761. Vote of house to pay H. M. attorney £100 a-year over and above what he receives from his majesty. Vote of a monument, (to "be" "erected over his burial-place in St. Paul's church in Halifax)," to the late governor, Charles Lawrence, esquire, which was, same day, agreed to by the council. 12 Aug't. House voted to pay funeral charges of late governor Lawrence. 13 Aug't. Sutton Stevens appointed to keep the assembly house, and £30 a-year allowed him for it. 14 Aug't. £25 voted to Joshua Hardy, gaol keeper, for his past services. 15 Aug't. The assembly prorogued to 15 October, 1761. Nineteen acts were passed this session, the most important of which were—one for the observance of the Lord's day, and another to

authorize the seizure of property of absent and absconding debtors.

On the 8 July, a formal treaty of peace was made by the president with Argimault, chief of the Indians of the Missiguash. [*See appendix.*] 12 July. Cobequid was directed to be included in the county of Halifax. 13 July. Stephen West was appointed a justice of peace at Cornwallis. It was voted that £88 11s. 6d. and £12 5s. 6d. be paid to Mr. John Bushel, the printer,—bills from 2 January, 1758, to 16 May, 1760. 22 July. Mr. John Dogget was appointed truck-master (that is to deal with the Indians) at Liverpool, and allowed 7½ per cent. commission. £50 of the old duty fund was voted to buy a public clock. In council, friday, 7 August, 1761. "Advised that the Rev. Mr. Robert Vincent be appointed minister at Lunenburg, with a salary of £70 per annum, and £20 per annum as a schoolmaster there." "Advised, that Joseph Winniett, George Dyson and Henry Evans, esquires, be appointed justices of the Inferior court for the county of Annapolis, and that John Steele, esquire, be appointed a justice of the peace there." "Advised, that Isaac Deschamps, Henry Denny Denson, and Robert Dennison, esquires, be appointed justices of the Inferior court for King's county." Writs advised for election of members of assembly for the townships of Onslow and Truro. In council, thursday, 13 Aug't., 1761. "Advised, that the Rev'd. Mr. Robert Vincent be admitted to celebrate Divine service in the church at Lunenburg, and there perform all rites and ceremonies according to the usages of the church of England, alternately with the Rev'd. Mr. Moreau; and that col. Sutherland be requested accordingly to adjust all matters relating to the church between Mr. Moreau and Mr. Vincent." [Moreau came to Halifax in 1749, and to Lunenburg in 1753. He had been a Roman catholic priest and friar of the abbey of St. Matthew, at Brest. [*Akins' Church of Eng., p.* 17] On the 15 August, captain Benoni Danks, messrs. William Allan, Abiel Richardson, John Huston and John Oats, were appointed to divide the forfeited lands in the township of Cumberland. A similar committee were named at Liverpool to lay out the lands to settlers, viz.: John Dogget and Elisha Freeman, esqs.,

and messrs. Samuel Dogget, Nathan Tory and Nathan Tupper; and a grant of the township of Lunenburg was also agreed to. 18 August. Malachy Salter, who was one of the collectors of the duties of impost and excise, and also a justice of the peace, was superseded in the latter office, it being deemed incompatible with the other. 19 August. Captain Winckworth Tonge, Joshua Winslow, John Huston, John Jenks, Joshua Sprague, Valentine Estabrooks and William Maxwell, were appointed a committee to admit persons into the township of Sackville.—22 Aug't. 38 shillings voted for bibles for new settlers. John Creighton, esquire, was made judge of probate at Lunenburg. Sept'r 10. Two acts were reported as disallowed by the king, one "*An act to prevent the importing disabled, infirm, and*" "*other useless persons into the province;*" the other, "An act" "to enable proprietors to divide their lands held in common" "and undivided." 21 Sept'r. In council, it was resolved to allow £50 per annum to pére Germain, and that the Acadians be removed from the river St. John. The Acadians, prisoners at Halifax, were to be employed making the road from Halifax to fort Sackville.

On friday, the 9 October, 1761, Alexander McNutt arrived from Ireland, with upwards of 300 settlers. His people were landed on Cornwallis island, now called McNab's. Monday, the 15 October. In council. Present: president Belcher, and messieurs Collier, Bulkeley and Gerrish. A treaty of peace was signed with Janneoville Pectougawash, chief of the Indians of Pictouck, and Malagonich, (now called Merigomishe.) Messieurs Edmund Crawley and Henry Newton, by *mandamus* from the crown, were sworn in as members of the council on 24 October.

On monday, 9 November, a treaty of peace was signed with Francis Mius, chief of the tribe of Indians of LaHéve. 21 Nov. Alexander Grant was sworn as councillor, under a mandamus; and chief justice Belcher, under a commission from the king, appointing him lieutenant governor, was sworn in, and took the chair. Friday, 27 Nov'r. One Daniel Hovey had been presented by the grand jury at the quarter sessions in King's county 'for uttering certain expressions of a dangerous ten-'

'dency, and highly derogatory to his obedience to his majesty.' The justices, without trial, ordered him to find sureties for his good behaviour for twelve months, and committed him to gaol 'for preaching the gospel.' The council set aside these orders as irregular.—Some of the Acadians who remained in the bay of Chaleurs, with small privateers, were annoying the English. President Belcher, in consequence, had two small vessels equipped, on board of which captain Roderick McKenzie, of Montgomery's Highlanders, who then commanded at Fort Cumberland, embarked, with some of his troops, and about the end of October proceeded to the place of rendezvous of the enemy, where he surprised 787 persons, (including men, women and children.) He brought away 335 of this number, the remainder being submissive, and promising to come in when required. The success of McKenzie was owing to the secrecy and activity of his movements. The council voted him their thanks on the 28 November.

APPENDIX TO CHAPTER XXVIII.

(1.)

An extract of a letter from General Amherst to Colonel Forster, was laid before the council by the President, as follows, viz't.:

"From the situation we are now in, I must own I do not see any room for apprehending any mischief to our settlements from either Indians or Canadians; I do not mean, however, from thence to infer that the latter should be suffered to settle among us, without the proper authority: that authority is the legislature of the province, and they may either consent to, or oppose it, as they shall see most proper. All I would mean to say is, that if we please to prevent it, it is not in the power of any number of Indians and Canadians in Nova Scotia to obstruct the English in the possession of their settlements."

"I approve much of the aid you propose giving Mr. Belcher, for assisting the new settlers, and repairing the dykes of the marshes that are broke and the lands overflowed by the high tides. I hope you will prove successful in it." (By Canadians, Acadians are meant.)

(2.)

[Letter from Joseph Winniett, Esq., to President Belcher.]

Annapolis Royal, August 15, 1761.

Sir. I beg leave to acquaint your Honour, when I was at Halifax this Spring I received an order from the Secretary, Mr. Bulkeley, to take one of the French

boats that were forfeited to the Government by the Acadians that were at Annapolis, for my services going up the river St. John's in assisting colonel Arbuthnot in bringing in of the French. On my arrival here, agreeable to said order, I had one delivered to me, and from that time I looked upon her as my property, and was at considerable expence in repairing her. Captain John Sinclair, the commanding officer here, has received a letter from major Hore, at Halifax, acquainting him that it was colonel Forster's orders to apply to me for a boat Mr. Bulkeley had lent me some time past, upon the receipt of which he sent a serjeant and three men to order me to deliver up the Government's boat. I waited on him, and informed him that I had no such boat in my possession, and shewed him the order for the one I had, and acquainted him I could not deliver her up, as I look'd upon her as my property. He then swore he would take her by force of arms. I could not resist him and his troops, but warned him before witnesses not to meddle with her. He then was pleased to say, that if he had orders he would burn the town about our ears, and that he was too strong for us; which I then acquainted him, that if he sent to take my boat, I could demand from him assistance to protect the civil authority. He was pleased to say he would advise me to try that scheme. Upon the whole, sir, he has taken her by force with his troops, and keeps her. Give me leave to mention that this manner of proceeding of his makes a very deep impression on the minds of new settlers, finding that a military commander will attempt to force the property from even a magistrate himself.

I acquainted captain Sinclair I should lay my case before you. He was pleased to make me answer I might, and do my worst.

I have wrote to Mr. Bulkeley the particulars of the affair, and have desired him to lay my letter before your Honour; and I beg leave to assure you I am, with respect.

Sir,

Your most obedient and most humble servant.

Jos. Winniett.

CHAPTER XXIX.

1762. Mr. Belcher, now made lieutenant governor, appears to have been haunted with a constant dread of mischief to arise from the scattered remnants of the Acadians in the remote parts of the province, and wrote on the subject to the earl of Egremont, 9 January.

War was declared by England against Spain, 4 Jan'y., 1762.

January 30. The lieutenant governor and council voted *out of the old duty money*, salaries to the judges of the Inferior Court of Common Pleas: to Charles Morris, £75; John Duport, £50; Joseph Scott, £50; Joseph Gerrish, £50; and Edmund Crawley, £50,—for their services in 1761. It may not be amiss to notice, that altho' it was given as the opinion of the crown lawyers in England, that the governor and council had not a right to the legislative powers they had for some time exercised, and an assembly had now been constituted for four years to supply this constitutional defect, yet the governor and council continued on many occasions to dispose of the monies raised under the ordinances of earlier date, without seeking the concurrence of the representative body. It shews the tenacity with which bodies of men, as well as individuals, cling to power and patronage. It will be seen bye-and-bye that at subsequent periods larger funds still were virtually appropriated and disposed of by the council without any reference to the house. These being duties collected under acts for the regulation of trade by the English parliament, they were, in point of form, controlled entirely by the English authorities, but in effect the opinion and recommendation of

the governor and council were almost invariably adopted and sanctioned in such matters. The consequence was that the influence and standing of the assembly was diminished and rendered insignificant, as they had but a very small revenue under their control; while the council had not only much public money to give away, but held all the best local offices themselves, and exercised the almost exclusive patronage of all others, whether of honor or emolument; and this anomalous and unconstitutional state of things endured far into the present century.

James Monk had been appointed king's solicitor in 1760 by Lawrence, and now applied for compensation, which the council approved and recommended.

An expedition—the land forces amounting to near 12,000 men, (eleven battalions of whom were drawn from New York), under general Monckton, with a fleet commanded by rear admiral Rodney—rendezvoused at Barbadoes, and appeared before Martinique, 7 January. The chief fort capitulated on 4 February, after its garrison had been defeated in a general sally. St. Pierre, the capital, surrended 12 Feb'y. Grenada, St. Lucie and St. Vincent, yielded shortly after without a struggle. Major Gates was *aide-de-camp* to Monckton, and left with despatches 10 February.

The assembly met 17 March. Lieutenant governor Belcher opened the session. He spoke to them of an "*insupportable*" "*load of debt*, incurred by bounties," &c., and recommended attention to finance and economy. 17 April. The lieutenant governor, by message, recommended to the house of assembly to aid distress of the inhabitants of Onslow, Truro and Yarmouth, who were in want both of provisions and seed corn. The house declared it impossible, by reason of the "*great*" "*load of debt* due by the publick." (N. B. They had passed a bill to borrow £4500 to pay debts.) 20 April. £224 9s. 9d. being wanted to repair and finish the church at Lunenburg, the house refused to grant it, giving the lieutenant governor the same reasons of debt. 21 April. £350 2s. 8d. old duty fund, was appropriated to relief of the new settlements.—Friday, April 23. A formal power was prepared and agreed to,

appointing Joshua Mauger, esq'r., of London, agent in behalf of this House and the people the members represent. He is thereby empowered to appear before the king, the privy council, house of commons and board of trade, courts of law and equity, or any of the public offices in London, employ counsel, &c., "accordingly to such letters of instructions which shall" "from time to time be transmitted him by the speaker." 26th. Dr. Samuel Willoughby having never attended since he was elected, his seat was resolved to be vacant, and a new writ ordered.

House of assembly, monday, May 3, 1762. The honorable the lieutenant governor sent down the following message:— Gentlemen of the council and house of representatives: I have lately received from his excellency the governor of the Massachusetts bay, copy of a resolution of the general assembly of that province, for proceeding, in conjunction with this government, to a settlement of the bounds of each respective claim and jurisdiction. This resolution will be laid before you by the secretary for your deliberation, and I make no doubt of your perfect disposition for adjusting the claim, as far as may consist with the particular circumstances of this province, so immediately under the direction of the crown for its bounds and jurisdictions, and for preserving the best harmony with a province so intirely and constantly disposed to promote the deffence and interests of this government.

JONATHAN BELCHER.

Which having been taken into consideration, Resolved, that this House is of opinion that the subject therein recommended by his Honor, is a matter proper for the consideration of his majesty only, and not at all consistent for them to enter upon, for that the lands now claimed by the government of the Massachusetts are within the boundaries of Nova Scotia or Acadie, and the property of the crown. On 1 May, the house voted an address to the king, on his marriage. Tuesday, 4 May. The lieutenant governor gave his assent to several bills. Three seats were declared vacant: Dr. S. Willoughby, for non-attendance—Michael Francklin, esquire, appointed to the council, and John Steele, esquire, deceased. Writs were asked for all

three by the speaker, Nesbitt ; and, with the governor's leave, the house adjourned to 7 June, to give time to hold the elections required.

War was declared against Spain, at Westminster and London, on monday, 4 Jan'y., 1762, and at Halifax by the provost marshal, at noon, on monday, 5 April.

In council, on the 3 May, a mandamus, appointing Michael Francklin, esq'r., a member of the council, was read, on which he took the usual oaths and his seat.

On 9 May, Belcher stated to the council that he had information that the French prisoners assembled frequently in great numbers at the Mass house; (where?) also that they were mostly armed, and were possessed of several armed vessels, under pretence of fishing, particularly at Dunk cove. He went on with apprehensions of their capturing our vessels coming into port, taking them to the West Indies, and giving the enemy intelligence of our situation. The council advised him to seize their vessels, and to apply to the military commander to disarm and confine the prisoners. (I suppose they were Acadian French.)

On the 24 June, four French men-of-war and a bomb ketch entered the bay of Bulls, in Newfoundland, and landed some troops, which, after seizing upon the small settlements in that bay, marched directly for St. John's, N. F., of which the French general took possession on the 17th by capitulation with the garrison, the terms of which were, that the inhabitants should be prisoners during the war, and secure in their possessions and effects. H. M. sloop Grammont, and several other vessels, were taken by the enemy in the harbor of St. John's. The English prisoners were 45 troops, and 125 seamen and marines of the Grammont. The city itself contained then 220 houses and 802 population. The news reached Halifax by vessels from Newfoundland arriving on the 1, 7, and 9 July. Councils of war were held at Halifax in consequence, which met frequently in July and August; but as the assembly of the province came together on monday, 7 June, we will look awhile at their proceedings.

Mr. John Butler took his seat for Halifax county, vacated by

Mr. Francklin, Mr. John Harris for Annapolis county, in place of John Steele, esq'r., deceased, and Joseph Winniett, esq'r., for the township of Annapolis. In the recess, £3923 5s. 0d. had been borrowed for paying public debts, and £3222 8s. 6d. remained due to public creditors. At this time no names are placed on the journals of the movers or seconders of resolutions, nor are divisions on any questions noticed, further than that 'unanimously' is sometimes added. On 8 July, thursday, both houses address the lieutenant governor on concerting defence with the commander of H. M. forces, (the descent at the bay of Bulls having become known here), and they ask 'that those French neutrals be put under a guard,' 'and not permitted the use of boats or shallops, nor suffered' 'to go abroad without the proper passports.' The house took a recess, with the lieutenant governor's leave, from 15 to 26 July, on which day they adopted an address to the lieutenant governor, in which they state the expulsion of the French Acadians in 1755; that since that 'great numbers returned' 'and joined the French parties, and were headed by French' 'partizans in defence of Canada—in piratical depredations' 'on the coast of Nova Scotia, and with small parties scouring' 'the internal parts of the province, destroying the inhabitants' 'and driving off their cattle, in spite of the troops sent against' 'them, which they could easily evade from their thorough' 'knowledge of y^e^ country.' Since Canada was captured, some of them surrendered—some were ferretted out, and others remain, 'who subsist upon hunting and fishing in and about' 'the bay of Chaleurs, Gaspee, Miramichi, and other rivers' 'upon the coast of the gulph of St. Lawrence, and in the river' 'St. John's.' They refer to the lenity shewn to the Acadian prisoners—liberty to work at highways—allowance of provisions, &c. They are convinced they never will become good subjects while left in this province. Charge them with insolent menaces to the settlers in the townships where they were at work, since the war against England is supported by Spain as well as France, telling 'that they should soon regain pos-' 'session of their lands, and cut every one of their throats.' They also refer to the Indians appearing this summer in large

numbers, and insolent. The invasion of Newfoundland has terrified some of the settlers; and if this panic spread, most of them would leave the province. The address goes on to say these Acadians would always seek to repossess their lands at all hazards; dwells on their attachment to France—alliances with the Indians, and the religious hostility. That there were 'numbers even of H. M. subjects, who, from sordid views and' 'an invincible avidity for gain, would be wicked enough to' 'furnish them with as much ammunition and provisions by' 'stealth for their peltry, &c., as would be sufficient to do' 'abundance of mischief, and this is what we have but too fre-' 'quently and fatally experienced since the first settlement of' 'Halifax.'—'That these French neutrals, as they are now col-' 'lected together, are at present a heavy charge upon the' 'inhabitants, especially the labouring people, who are obliged' 'to mount guard every third day and night in their turn, to' 'prevent the escape of the prisoners confined only in open' 'barracks, there being no place of close confinement to con-' 'tain such a number.' They finally pray he will give 'orders' 'that these French prisoners may be removed out of the pro-' 'vince.' This address was presented by the speaker and the whole house. The house was next engaged in preparing a militia bill.

Monday, 16 August. The house having understood that the board of trade were greatly dissatisfied with the conduct of some of the members of the house, and that the governor had so declared, sent him a message to ask for the names of parties inculpated, that they might know what they were accused of, and have an opportunity of acquitting themselves. The lieutenant governor sent a verbal message by the clerk of council, 'that their application was improper, and that whatever orders he had received from the board of trade, he should take a proper time to carry them into execution.' 18 August. A motion was made by Benjamin Gerrish, esq., and seconded, that a message be sent to the lieutenant governor, that they think it inconsistent with the honor of the house to do any more business till his Honor will declare who these members are, and the crimes that have brought them under the displea-

sure of the lords of trade; and the question being put thereupon, it was carried in the negative. 25 August, wednesday. £100 was voted to the clerk of the house.

The speaker having adjourned, there not being a full house, an altercation arose between him and a member, Mr. Woodmass, the latter denying the speaker's power so to adjourn. The speaker reported the matter on the 26th; and in committee of the whole, Benjamin Gerrish in the chair, it was decided that Woodmass had treated the speaker in an indecent manner, and should make a proper concession to the speaker to the satisfaction of the house. Whereupon the speaker desired to waive any concessions from Mr. Woodmass to himself personally, being perfectly satisfied with the opinion of the house upon his complaint, and moved that Mr. Woodmass might have leave to take his seat as usual, which motion was agreed to. A few minutes after the house adjourned, and before the speaker had left the room, Mr. Woodmass came in and commenced to altercate again with the speaker (Mr. Nesbitt) on this affair. The speaker told him the house had decided it, and there needed no further explanation, and that he would say no more about it. Woodmass, on this, called the speaker a scoundrel, and Nesbitt being very much provoked, struck at him. Thursday, 26 August. The speaker reported this last transaction to the house, whereupon they went into a committee of the whole, and, after hearing Woodmass, they resolved that he had highly offended the house in the person of their speaker, and must ask pardon of the house. This he did, and was then allowed to resume his seat. Saturday, 28 August, £81 19s. 0d. was voted for expences of the house, and the assembly was prorogued to the 27th October next.

The invasion of Newfoundland and surrender of St. John had evidently created a boundless terror among the functionaries of all kinds at Halifax. In consequence, a council of war, as it was termed, assembled at the governor's house, in Halifax, on saturday, 10 July, 1762. At this meeting there were present: lieut. governor Belcher; colonel Richard Bulkeley, of the Halifax militia; major general John Henry Bastide,

colonel William Forster, lieut colonel Frederick Hamilton, lieut. colonel Job Winslow, and the right hon. lord Colville, commander-in-chief of H. M. ships in North America. They resolved to make the small island called Thrum cap a place of signals; to arm and discipline the provincial regiment; to array the Halifax militia, and bring here 200 militia from Lunenburg; that the French neutrals, prisoners of war, be collected together, lodged, and put under such regulations as the commanding officer directs,—those who might be fishing on the coast were to be brought in; batteries at Point Pleasant and at the Dockyard were to be constructed, and several batteries were ordered to be strengthened. The council of war met again monday, 12 July. The Island battery was to have in all 40 men—the Eastern battery 30. A captain, subaltern, and 100 privates of the provincials, were to encamp at Point Pleasant, and to erect there a battery of ten 9-pounders. An armed vessel and party to be stationed in the South-east passage. The French neutrals who are at work for the inhabitants in Kings and Annapolis counties, to be ordered to Halifax, under escort of 100 of the militia of King's county. (130 were brought down.)

On tuesday, 13 July, in council, lieutenant governor Belcher declared martial law to be in force; also, he laid an embargo on all shipping in Halifax harbor for ten days.

Thursday, 15 July. A council of war was again assembled. Lord Colville acquainted the council of war, in writing, that he had placed the Northumberland, the only king's ship with him, about half a mile above the narrow pass of Mauger's beach, nearly in the mid channel,—that he thinks this position the best for essential service until there shall be batteries constructed, with which her guns may co-operate; and he also acquainted the board that if a more eligible situation is pointed out, the ship may be moved immediately. That he is making a boom of timber and iron chains, of 120 fathoms long, to run across the North West arm; that he has projected a sett of signals for giving notice of the enemy's approach, and that he has wrote orders for the master of the sloop appointed to lye in the South-east passage,—all which he submitted to the

opinion of the council. Resolved, that to support and protect the boom in the North-west arm, two sloops, of the largest size that can be found, be immediately taken into the service, and properly manned and armed.

Council of war, friday, 16 July, 1762. Present: lieut. governor Belcher, colonel Bulkeley, major general Bastide, colonel William Forster, lieut. colonel Hamilton, lieut. colonel Winslow, major Sutherland, and admiral lord Colville. "Resolved, that the sloop which lord Colville is fitting up for eight 6 or 9 pounders, be placed within the boom, as a further defence to the North-west arm; that 20 of the Newfoundland men be put on board, as an addition to her crew, and that 5 or 6 of them who are best acquainted with the management of great guns, be picked out for that purpose; that 30 rounds of ammunition be provided, round and grape, with all other appurtenances from the train, and also that a month's provisions be put on board the sloop." On remonstrance from Lunenburg, and insolence of Indians there, order for men thence was countermanded. One sloop being thought enough to guard the boom, the other was ordered to be sent to Lunenburg, to protect that settlement. 17th July. A dockyard company of militia, under Joseph Gerrish, esquire, the storekeeper, was ordered; a militia regiment to be exercised every evening at 5, P. M.; a small boat, with 4 or 5 men, to be stationed at Margaret's bay, for intelligence; and a battery and redoubt to be erected on Cornwallis island. (19th,) 10 battery pieces and 500 men to be employed on it. 21st. Mr. Mauger's block-house, near the Dockyard, to be occupied by 14 men, and entrenched. 100 militia, of King's county, at Sackville, had leave to return, to guard the settlements against Indians. At this time the boom in the N. W. arm was completed, and defended by an armed sloop. 23 July. The works of the fortification of citadel hill were all suspended at this time. French prisoners were at work upon the wharf at the Lumber-yard, who were only out of confinement by day upon tickets of leave, and employed as axe-men by order of major-general Amherst. Two batteries had been erected at Point Pleasant, one had eight 24-pounders, (East side of the point), and the

other ten 9-pounders, to defend the mouth of the N. W. arm. The battery at South end of the town had been increased to seven 24-pounders, and 200 militia were clearing a spot on Cornwallis island for a battery, but this last battery was, on 30 July, postponed for want of men. The lieutenant governor representing the French neutral prisoners 'as insolent and' 'dangerous,' and disturbing the Indians who had assembled in this vicinity in great numbers, the council of war advised 'that the French neutrals should be transported to Boston,' 'and put under the care of governor Bernard, until H. E. Sir' 'Jeffery Amherst should give orders for their further proceed-' 'ings.' Councils of war were held on 10, 15 and 17 August, but in the meanwhile lord Colville had sailed for Placentia.

On Wednesday, 21 July, the lieutenant governor and council being assembled, the council advised that the townships of Liverpool, Barrington and Yarmouth be erected into a county, to be called 'Queen's county,' and that a writ issue to elect two members to represent the new county in the assembly. The lieutenant governor stated that 'martial law' was now at an end.

In council, 24 July. A petition from Peleg Coffin, Joseph Collings, Joseph Headley, Primus Snow, Daniel Eldridge, Cyrenus Colins, Luther Arnold and John Chatfield, dated Liverpool, July 8, complaining that the governor and council appointed their committee and officers, which they claimed as their own right. A copy was ordered to be sent to the committee of Liverpool, for their answer.

Fifteen Cape Sable Indians and thirty of Lahéve had assembled at Lunenburg to meet Mr. Maillard, by his direction. His illness detained him from coming. A woman (inhabitant) stole a keg of rum out of an Indian canoe. One of the Indians went to the woman's house in consequence, and used her ill. The lieutenant governor sent for Paul Laurent, a Lahéve chief, who was examined, and professed a desire to punish the Indian offending, and the cape Sable chief was then sent for. On the 26 July, present in council the lieutenant governor and the honorables messrs. Collier, Morris, Bulkeley, Alex'r. Grant, Crawley, Newton and Francklin, the lieutenant governor asked

the advice of the board respecting the Acadians, when they gave him a statement very similar to the address of the house of assembly on the same subject, concluding with a similar suggestion to remove them from the province, and recommending Massachusetts as the place to which they should be sent; and on 5 August expressed their opinion 'that the said' 'Acadian prisoners, upon their arrival at Boston, should be' 'still detained in custody, to be disposed of as gen'l. Amherst' 'shall think proper to direct.'

Meanwhile, on 3 August, 36 poor persons came from Newfoundland to Halifax, for refuge from the French.

General Amherst, in his letter from New York of 18th and 29th July, says he is a little afraid of Louisbourg, but does not entertain the least fear with regard to Nova Scotia, as there are 1500 men at Halifax, besides the militia, and says he cannot help despising anything the enemy could attempt against it. He thinks Boston is much more open and liable to an assault from the enemy than Halifax is, and considers Nova Scotia the only province on this continent, Canada excepted, that is provided with a proper defence. He approves of lord Colville remaining at Halifax while he had but one ship, as it would not have been prudent then for him to proceed to sea.

An English expedition, under general lord Albemarle and admiral Pocock, sailed from Portsmouth on 5 March, to attack Havana. The fleet consisted of 19 ships of the line, 18 smaller vessels of war, and nearly 150 transports, with about ten thousand men of the land forces. They effected a landing on the 7 June—took the Moro castle by assault on the 30th July, after 29 days siege, when don Luis de Velasco, governor of the fort, and the marquis de Gonzales, his second in command, were slain fighting. The siege continued until 11th August, when a white flag was hung out, and the terms of surrender were settled and signed on the 12th and 13th. The besieging forces received additional men from New York on the 28 July. The plunder was estimated at near three millions, sterling. Twelve ships of the line were lost to Spain, of which three were sunk in the entrance of the harbour, two were on the stocks, and nine fit for sea.

[Two English frigates had also, on the 21 May, captured the Hermione, a Spanish register ship from Lima, bound for Cadiz, off cape St. Vincent. She had on board, in gold and silver, 2,276,716 dollars, besides cocoa, wool and pewter. This prize realized the sum of £544,648 1s. 6d. sterling. The prince of Wales, (afterwards George 4), was born on thursday, 12 Aug't., and by a singular coincidence on the same day the capitulation of Havana was signed, and the treasure of the Hermione carried in great state by the palace of St. James, to the tower.]

Lord Colville, in the Northumberland, with the Gosport, and the King George, a Massachusetts ship of war, left Halifax on the 10 August, and arrived at Placentia on the 14th, where he found the Antelope and Syren, which had got there on the 22nd July. Captain Greaves, the English governor of Newfoundland, was employed repairing the ruined fortifications of Placentia, and putting the place in a posture of defence, in which lord Colville assisted him, and then prepared to sail for St. John's.—On 2 August, captain Le Cras, in the Lion, captured off Torbay, the Zephyr, French frigate, 26, which had left Brest the day before, having on board cannon, &c., and 200 troops, bound for St. John's, N. F. In the meantime, Sir Jeffery Amherst sent lieut. colonel William Amherst from New York to Halifax, with transports. Colonel Amherst got to Halifax 26 August—embarked troops, and proceeded to Louisbourg, where he got more soldiers, and sailed from Louisbourg on 7 September. On 11 Sept't. he met lord Colville's squadron a few leagues South of St. John's, N. F. On the 13th, Amherst landed his soldiers at Torbay, about 3 leagues Northward of St. John's; and after skirmishing for some days, and various movements, and the action of a mortar battery on the place, the French squadron escaped and the garrison capitulated on the 18 September. The garrison became prisoners of war, to the number of 689. The English had 25 killed and 75 wounded in these operations. Though it seemed desirable to give some account of this capture and re-capture of Newfoundland, especially as its inception had created such a panic with the lieut. governor, Belcher, and major general Bastide, and produced incessant councils of war at Halifax,

and terrible suspicions of the poor Acadian prisoners, it yet does not seem necessary to go into fuller details. The official letters of lieut. colonel Amherst and lord Colville, containing full particulars of what occurred, were published in the London magazine for 1762, pp. 554–559, and deserve the attention of the future writers of the history of Newfoundland.

A vessel (cartel) arrived at Halifax with 93 prisoners, bound from St. John's, N. F., to Virginia, (probably English.) Provisions were voted for their support.—19 August, the council resolved to make good all the damages, which Jacob Hurd, one of the proprietors of Cornwallis, should recover in a suit for £20 damages he had commenced against Amos Owen, for impressing his horses when captain McKenzie marched from fort Cumberland to Halifax with his troops.

Father Charles Germain, missionary to the Indians, having written to the lieutenant governor, on 25 July, St. John river, acknowledging $200 paid him by Mr. Cunningham, complained of the irregularities of the Indians, who 'will shortly pay no' 'regard to what he says.' He states his disposition 'to inspire 'the Indians with the respect due to government.'

In council, 28 August. The lieutenant governor was pleased to declare that his majesty's ministry was so much offended against the members of the assembly, who had not attended their duty therein the last Fall, that he had directions to dismiss them from all their employments, both civil and military; and the lieutenant governor ordered that the following gentlemen should be dismissed accordingly, viz't.: Mr. Malachy Salter, Mr. Jonathan Binney, Mr. Benjamin Gerrish, Mr. Philip Knaut, Mr. Robert Dennison, and Mr. Stephen West.—[Malachy Salter was the great grandfather of the author of this history. The house he built and resided in is still remaining at the corner of Hollis and Salter street, many years occupied by the late William Lawson, esq., afterwards by the late John Esson, esq.]

During this summer, five transports, with Acadians, arrived at Boston. The assembly of Massachusetts, in September, refused to receive the Acadians now sent, and declared that they should not be landed there, so that captain Brooks, who

had command of the convoy of transports, was forced to bring them all back to Halifax. By Sir Jeffery Amherst's letter to lieut. governor Belcher, from New York, 30 August, he shews he is not pleased with this movement, but is willing to make the best of it.—In council, saturday, 9 Oct'r. The petition of Robert Smith, an Irishman, complaining of unfair treatment as to a land grant, was read, and voted a libel. The lieutenant governor declared 'that in consequence of orders which he' 'had received, Joseph Gerrish, esq., must be suspended from' 'being a member of the council until H. M. pleasure shall be' 'further known.' 12 Oct'r. The lieutenant governor dismissed Joseph Gerrish, esq., from the office of Justice of Inferior Court of Common Pleas for the county of Halifax, and appointed the hon. Alex'r. Grant in his stead.

The 10th of November was appointed a day of thanksgiving for the successes of H. M. arms.

27 Oct'r., 1762. The rev'd. Mr. Wood writes to the society for propagating the Gospel, &c., stating the death of abbé Maillard. Maillard left France 24 June, and landed at Louisbourg 13 August, 1735.

The preliminaries of peace between England on the one part and France and Spain on the other, were signed at Fontainebleau 8 Nov'r., 1762; and on 26 Nov'r. the English king issued a proclamation, directing the cessation of hostilities.

5 Nov'r. Colonel McNutt having arrived with 170 settlers from Ireland, who were to go to the township of Dublin, and 100 of them being in distress, provisions for four months were voted them by H. M. council. It was also voted to purchase types in London for Mr. Anthony Henry, the printer, to be paid for by him within a year after their arrival, as he was in want of them.

In respect of the boundaries of Acadie and Massachusetts, governor Bernard wrote to lieut. governor Belcher, 10 Dec'r., 1762, as follows: "I must nevertheless, with much satisfaction, accept the assurance you give me, that you shall not make any grants of any of the lands Westward of the river St. Croix, or the islands thereto belonging above six leagues off the East side of the St. Croix; and I shall, on my part, not consent to

any further grants from this province, until the question is determined at home." The council at Halifax, 20 Dec'r., did advise that no grants should be made of any lands comprehended in the above mentioned limits, until directions relative thereto should be received from his majesty's ministry.

In December, 1762, John Salusbury, esq., who was of H. M. council in Halifax, in 1749, died.

APPENDIX TO CHAPTER XXIX.

(1.)

Tuesday, March 30, 1760. John Burbidge, Esq., from the committee appointed to state and examine the accounts of the province, reported that they had gone through the same, and had drawn a state thereof, as follows :—

DR. *The Treasury in account current with the Province.* CR.

To Cash, part of the old Duty monies in hand, appropriated by the General Assembly,	£2000	0	0	By Cash for bounties & other services paid by the Treasurer, per vouchers in his hands,	£2702	9	2
To Cash per John Newton, esq., from the 5th Dec'r., 1758, to the 29 March, 1762,	4845	8	2¾	By Cash for several public works, per accounts in the hands of the Commissioners,	6652	5	6
To Cash per Malachy Salter, esq., from the 5 Dec'r. 1758, to 20th Sept'r. 1761,	4204	16	8½	By Cash for several public works, and other services,	571	0	3
To Cash borrowed for the relief of the poor,	850	0	0	By Cash for sundry accounts, per vouchers in the Treasury,	1239	10	1½
				By Cash paid for corn, &c.,	700	0	0
					£11865	5	0½
				Balance due the province,	34	19	10¾
	£11900	4	11¼		£11900	4	11¼

DR. *The Province of Nova Scotia on account of Duties of Impost and Excise, as per memorandums, collected in the Treasury.* CR.

To bounty certificates, 1760, unpaid,	£2195	12	9	By the Treasury for balance,	£34	19	10¾
To accounts of the public works unpaid,	1003	13	3	By notes unpaid, in the hands of Joseph Newton. esq.,	1134	7	1
To Jos. Woodmass, esq., borrowed for the poor,	850	0	0	By Cash in the hands of Malachy Salter, esq.,	114	7	9½
To sundry persons,	290	0	0	Due from the distillers,	782	0	2¾
To expenses of the Assembly,	189	1	0		£2065	15	0
				Balance province debt,	2462	12	0
	£4528	7	0		£4528	7	0

(2.)

A party of Gage's Rangers, who set out from Montreal last summer to reconnoitre the country and the great Lakes of Canada, and to take possession of the remotest parts comprized within the limits of that province, according to the capitulation, returned to Philadelphia in the beginning of February, after travelling by land and water 1800 miles. [*Annual Register for* 1762, *p.* 82.]

(3.)

General Amherst had contemplated to transfer the Acadians from Ristigouche to the upper parts of Canada; and general Murray, at Quebec, finding some had gone to Beauséjour and some to Louisbourg, wrote 20 Sept'r., 1761, to lieutenant governor Belcher, to know if it was intended to let them settle again in Nova Scotia. He says: "You must know best the consequences of settling them " " among you. The measure, indeed, does not appear to me so eligible, as the " " very spot must renew to them, in all succeeding generations, the miseries the " " present one has endured. and will perhaps alienate for ever their affections " ' from its government, however just and equitable it may be."

CHAPTER XXX.

1763. Sir Jeffery Amherst signified in his letter of 21 Nov'r. that the expence incurred in sending the Acadians to Boston and bringing them back should be discharged by the government of Nova Scotia. 8 January. The committee appointed to examine the accounts of Benjamin Gerrish, late commissary for the Indian commerce, reported that his accounts were confused and irregular. They find fault with his prices, per centage, &c., and complain of his refusing to attend them.

The definitive treaty of peace between England, France and Spain, was signed at Paris, thursday, 10 February.

March 15. Voted in parliament for—

Nova Scotia, for the year 1760, not provided for,	£4580 13 11¼	
Do. Civil establishment for 1763,	5674 1 10	

Thomas Williams was ordnance storekeeper at Annapolis.

In the treaty of Paris, the following clauses were inserted to regulate the rights of fishery, &c.:

V. The subjects of France shall have the liberty of fishing and drying on a part of the coasts of the island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht; which article is renewed and confirmed by the present treaty, (except what relates to the island of Cape Breton, as well as to the other islands and coasts, in the mouth and in the gulph of St. Laurence:) And his Britannic Majesty consents to leave to the subjects of the most Christian King

the liberty of fishing in the gulph St. Lawrence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent as those of the islands situated in the said gulph St. Lawrence. And, as to what relates to the fishery on the coasts of the island of Cape Breton, out of the said gulph, the subjects of the most Christian King shall not be permitted to exercise the said fishery, but at the distance of fifteen leagues from the coasts of the island of Cape Breton; and the fishery on the coasts of Nova Scotia or Acadia, and every where else out of the said gulph, shall remain on the foot of former treaties.

VI. The King of Great Britain cedes the islands of Saint Pierre and Miquelon, in full right, to his most Christian Majesty, to serve as a shelter to the French fishermen: And his said most Christian Majesty engages not to fortify the said islands; to erect no buildings upon them, but merely for the convenience of the fishery; and to keep upon them a guard of fifty men only for the police.

On monday, 25 April, the general assembly of the province met at Halifax. Lieutenant governor Belcher opened the session with a speech. He mentions the birth of the prince, and the prospect of a definitive peace. As to revenue, he says: "We rely upon the consumption of a noxious manufacture," "which it is the very object of the laws to restrain; nor" "would it be an unpolitical wish that we could wholly pro-" "hibit." Gerrish, Salter and Hinshelwood were the committee to reply to the lieutenant governor's speech. In this reply they say that they cannot think of any other tax more suitable than that on spirituous liquors, "which, notwithstanding the" "wholesome laws for suppressing debauchery, will, we fear," "yet be consumed by the profligate in immoderate quantities." 3 May, tuesday, proposed to lay a general excise on spirits, and 10s. per 100 lbs. on loaf sugar from the plantations, and 1s. a pound on all tea consumed in the province—3d. on chocolate, and 2d. on coffee. They also resolved to apply to parliament for a sum of money in aid of the Light-house, in consideration

of the benefit the Royal navy receive from it. Differences of opinion sprang up about paying off the loan creditors. The house of assembly being averse to any direct taxation, sought to postpone the payment of principal, paying interest. On 12 May, the lieutenant governor gave leave for a recess till the 15 June. On 15 June, they re-assembled. On monday, 20 June, the speaker communicated a letter from Mr. Francklin, dated 20 June, 1763, on behalf of Mr. Mauger, the agent of the assembly in London. 22 June, the governor gave assent to several acts, and granted a recess to 20 July next. 20 July, they re-assembled; and 21st, having no further business, were prorogued to wednesday, 10 August, 1763.

On 5 July, three Indian chiefs, from St. John's and Passamaquoddy, came to Halifax to enquire why their priest, père Germain, had been taken from them. The lieutenant governor and council informed them that he had gone voluntarily to Quebec, where he was detained by general Murray, and not at the instance of this government. They then desired the lieutenant governor would provide them with another priest, which he promised. On this, they expressed themselves satisfied, and were dismissed with "the usual presents."

At this time some of the Acadians took possession of lands on the river St. John. Some settlers, English, (of New England, probably), also took possession in the same district. The orders from England reserved these lands to be given to disbanded soldiers. Messrs. Morris and Newton were directed to go to St. John's and notify the Acadians to remove, with leave to go to any other part of the province till his majesty's pleasure was known, and inform the English settlers of the destination of these lands. A Mr. Peabody was the principal inhabitant and agent for the English settlers.

The *council* voted £50 for mending the road between Granville and Horton.

In the recent session of the assembly, a report of Mr. Mauger's proceedings, as their agent, was received in the form of a letter from Mr. Francklin, dated Halifax, 20th of June, 1763, addressed to the speaker, and entered on the journal of the house. It states that by 'great zeal and unwearied applica-'

'tion' Mauger had 'procured orders' from the lords of trade 'for the revival of the Protection act in favor of such persons' 'as came into this colony under the sanction of that law.' (This, apparently, refers to protection from claims of creditors.) He had also influenced the board to send directions to the lieutenant governor to pass two bills for collection of impost and excise, which Belcher had negatived, and to alter or annul a proclamation relating to lands claimed by the Indians. The revenue bills are stated as essentially necessary to relieve the province from debt, and the proclamation as tending to cause trouble with the savages. The lieutenant governor, 28th July, charged this report with untruth, and next day discussed it at some length, and directed a letter to be sent to Mr. Cumberland, agent for the province in London, to seek 'reparation' 'for the honor of government.' At that period each colony had an agent appointed and paid by the crown, as far as I can ascertain, resident in London. Richard Cumberland, the dramatic author, held the agency for Nova Scotia. His official communications would necessarily be with the governor and council here, and with the lords of trade and plantations in the metropolis. The agency of Mr. Mauger was naturally confined to the advocacy of such objects as the speaker and house, who commissioned him, felt a peculiar interest in, and more especially to support their views before the board of trade on such points as were in dispute, whether of fact or policy, between the house on one side, and the governor and council on the other. In more recent times, such questions have been frequently handled by special delegations, but it was more convenient in the last century to leave them in the hands of a special resident agent.

Fresh alarms arose concerning the Indians, and the council advised a request to colonel Forster, who commanded the troops, to send soldiers to protect the new settlements. I do not find that any such movement took place; but it seems that a poor Indian, one Bartholomew Noëout, through the indiscretion caused by too free a use of *booktéwitchk*, (ardent spirits, literally 'firewater,') had twice got into difficulties with some of the new settlers in Horton and Cornwallis, and had

received severe, if not dangerous injury. He had been nursed, doctored and cared for by messrs. Burbidge and Best, and when somewhat recovered, taken charge of at an Indian village near cape Porcupine. Mr. Isaac Deschamps, by Belcher's instructions, proceeded to Cornwallis, and spent four days in investigating this affair. The Indians expressed great satisfaction and thankfulness for the great notice the government had taken of them on this occasion, and were very civil and courteous to Mr. Deschamps. He 'directed Mr. Mather to' 'supply the sick Indian with such necessary refreshments as' 'Dr. Ellis should direct, and that he should be paid for the' 'same.' The attorney general, Nesbitt, was ordered to prosecute those who had beaten Nocout at the next sessions for King's county, but they made every admission, and the affair was then finally settled, to the entire approbation of both the English and the Indians.

It is highly gratifying to find the governor and his agents exhibiting so wise and humane a course of action, and more calculated to rivet the attachment of the Micmacs to the English power than any hostile demonstrations could. It is equally pleasing to find among the new settlers, that, if some were excitable, they were ready to acknowledge error and make amends; and as in the case of Burbidge and Best, these were the good Samaritans who could pity and relieve their fellow creature, no matter what was the name of his tribe or the color of his skin. It will be found that the Micmacs, after the English had established their power in the province, became tractable, peaceable and friendly with great readiness, not only adhering strictly to their treaty engagements, but being most scrupulous and attentive to abstain from doing the slightest injury to the white people, or to abstract the value of one penny of their cattle or goods, shewing that they deeply respected and well understood the rights of property. The only difference of opinion that remained, was, that the Indian believed that he had a clear right to cut down or bark a tree in the unfenced and uncultivated wilderness,—while those who held a written grant or deed, in

some rare instances grudged him this privilege, and considered him as a trespasser on their rights.

A correspondence in French between one *de la Rochette*, at Liverpool, (England), of 18 March, and Alexis Trahan, Tranquile Prince, Joseph le Blanc and Alexis Boudro, addressed to Joseph Lemaigre père, at Halifax, received by way of Philadelphia, was sent by Lemaigre to Joseph Broussard *dit* Beausoleil, at Pisiquid, (Windsor.) Rochette uses the name of the *duc de* Nivernois, then in England, as ambassador negociating the definitive treaty of peace; and the object of the letters was to persuade such Acadians as remained in this province to migrate to France, holding out favorable but very vague expectations to them. These letters, or copies, were handed about among the French Acadians, and the governor and council being apprized of it, sent for *le Maigre*, and examined him, and afterwards Beausoleil came from Windsor, and was examined. They then determined to send the correspondence to the secretary of state, the earl of Egremont.

22 August. The Indian chief of Lahève, François Mius, and four other Indians, attended before the lieutenant governor and council, and asked to have a priest, as they had been without one from the death of Maillard. They were promised one *as soon as he could be obtained*, and on the next day they received the *usual presents*, and took their leave.

At this time Henry Ellis, esquire, had been appointed 'captain general and governor in chief' of Nova Scotia; and in expectation of his arrival, arrangements were made for his honorable reception, but he did not come to the country or assume the government. Meanwhile, the honorable colonel Montague Wilmot was appointed lieutenant governor in the room of Mr. Belcher. On friday, 26 August, lieut. governor Belcher apprized the council of this.

Wednesday, 7 September. The peace between England and France was publicly proclaimed at Halifax, and the 28th appointed as a day of thanksgiving in consequence. On saturday, 24 Sept., colonel Wilmot arrived here from Quebec; and on monday, 26th, his commission was read in council, on which he took the oaths, and assumed the government. (Mr.

Ellis having requested leave to resign the government of Nova Scotia, Mr. Wilmot was appointed governor 8 October.) By a proclamation, dated St. James', 7 October, 1763, king George 3rd, with the advice of the privy council, annexed the islands of "St. John and Cape Breton, or Isle Royale, with the lesser islands adjacent thereto, to our Government of Nova Scotia." Quebec, and E. & W. Florida, made three new provinces. In all the provinces, officers who served in North America in the late war, and reside there, are to be entitled to land grants: field officers, 5000 acres; captain, 3000; subaltern or staff officer, 2000; non-commissioned officer, 200; private, 50. Navy officers and men, who served there, to be entitled to similar grants.

On wednesday, 19 October, in council, a royal mandamus was read, appointing Jonathan Belcher, Benjamin Green, John Collier, Charles Morris, Richard Bulkeley, Joseph Gerrish, Alexander Grant, Edmund Crawley, Henry Newton, Michael Francklin, William Nesbitt, and Sebastian Zouberbuhler, esquires, members of H. M. council. Mr. Nesbitt having been sent for, was informed by the lieutenant governor, (Wilmot), and replied 'that he was highly sensible of the honour that 'was intended him, but that he had some very particular' 'reasons to decline accepting thereof, and that he had already' 'wrote to England on that head, and therefore desired that' 'the lieutenant governor would be pleased to dispense with' 'his being sworn in at this time.' Mr. Nesbitt had now for some time filled two very important offices—that of attorney general, and the chair of the speaker of the house of representatives. What motives may have actuated him in declining to be transferred to the council, we cannot even conjecture; but looking back at his summary dismissal by governor Cornwallis from the subordinate position of a clerk in the secretary's office in 1752, without any cause assigned, we must conclude that he had shewn ability, industry and integrity, to raise him to his present eminence. Mr. Duport, the clerk of the council, retiring into the country, the secretary, Mr. Bulkeley, was appointed to that office, with leave to execute it by deputy. 7 Nov'r. Mr. Zouberbuhler was sworn in as a councillor.—

The assembly met, according to prorogation, at Halifax, on wednesday, 19 October. Montagu Wilmot, esq'r., the lieutenant governor, opened the session with a speech. He calls them "friends and fellow subjects,"—says that Nova Scotia is a province whose interest and welfare he has ever had sincerely at heart,—"the most material points which at present de-" "mand your consideration, are the reviyal of former laws," "the enacting of those which may be useful, as well as the" "re-enacting such expiring laws as may be deemed most" "salutary and productive of the public good, and that you" "will take the most effectual measures in your power for the" "satisfaction and relief of such persons as may have any" "legal demands on the government."—"Long before his" "majesty placed me in this station, was I well acquainted" "with the zeal and fidelity of his subjects of Nova Scotia." "Little, therefore, remains for me to recommend to you, but" "unanimity and harmony among yourselves." He also professes a resolution to sacrifice all selfish and private views to the public good. Benjamin Gerrish, Malachy Salter, John Burbidge, Archibald Hinshelwood, esquires, and Mr. John Butler, were the committee to prepare an answer to the speech. £80 per annum was voted Benjamin Green, for two and a half years in which he acted as treasurer. Nov'r. 3. A proposal was made to have two judges in the supreme court associated with the chief justice, "as it is conceived H. M. subjects" "ought not to rest satisfied with the judgment of one person" "only;" and on the 24th, the house addressed the governor to that effect, with a view to this court being held in every county; and further, that so important a court should not consist of "one man, however capable and upright." The house also made some efforts to regulate fees taken in the courts. Some resolutions passed to enforce the attendance of members. Mahogany chairs for each member, (19 in number), and a larger one for the speaker, were ordered to be made by a carpenter. Laws were ordered to take effect from the date of their publication, in a printed form. (By the act of 1758, 22nd chapter, laws were to be published by being read on the parade, after notice by beat of drum. This was altered by the

act of 1771, which made publication in a gazette, or affixing the law to the church door at Halifax, the rule.) Mauger was instructed to obtain the repeal of a law making lands liable for debts, *the act of* 1758. On 26 Nov'r., governor Wilmot closed the session with a speech, in which he says: "I cannot help professing that the event of your deliberation hath more than answered my most sanguine hopes and expectations. Your minds untinctured with and divested of all private and selfish views, have, to your honour, been directed to the public good, and have sufficiently served to confirm me in the opinion I ever entertained of you, as a prudent and truly worthy people. Long may this happy disposition remain among you—long may such virtuous principles flourish in this colony; and may I be allowed the happiness, with every well-wisher, to join in a sincere desire that they may be permanent to the latest posterity." The assembly was then prorogued to the 22 March, ensuing.

Mr. Zouberbuhler had been sworn in as councillor on the 7th November.

23 Nov. The widow of Edward How petitioned for the unpaid balance of her former claim. This was referred to messrs. Collier and Morris, who subsequently reported that 'nothing' 'was due.'

In December, at a meeting of governor and council, the language used by the late lieutenant governor Belcher was complained of in a memorial from Mr. Francklin. Belcher had stated that the letter of F. did not contain a word of truth, and was a libel on the government, and directed the clerk of council to record his remarks. The council heard both Francklin and Belcher, and read a letter from the lords of trade, of 3 Dec'r., 1762, after which they decided 'that there' 'were sufficient authority for Mr. Francklin's letter, and that' 'it was founded in truth.'

About this time several petitions for land were granted in council, among others that of John Dogget, esq'r., for a grant of the island of Port Mouton, which he had occupied under a license, and improved.

APPENDIX TO CHAPTER XXX.

(1.)

STATE OF THE SETTLEMENTS IN THE PROVINCE.

1763. Towns.	No. of Families.	Marsh land acres.	Cleared-up acres.	Woodland acres.	Total acres.
Halifax,	500		150	99,850	100,000
Lawrence Town,	3		500	19,500	20,000
Chester,	30		30	99,970	100,000
Lunenburg,	300		6,000	134,000	140,000
New Dublin,	50		200	99,800	100,000
Liverpool,	100		100	99,900	100,000
Barrington,	50		500	99,500	100,000
Yarmouth,	50	10,000	200	89,800	100,000
Annapolis,	60	1,600	1,400	97,000	100,000
Granville,	50	1,500	1,000	97,500	100,000
Cornwallis,	128	3,000	2,000	95,000	100,000
Horton,	154	5,000	3,000	92,000	100,000
Falmouth,	80	2,500	3,000	95,500	101,000
Newport,	65	1,000	600	98,400	100,000
Truro,	60	1,500	100	98,400	100,000
Onslow,	52	1,400	200	98,400	100,000
Cumberland,	35	18,800	600	81,400	100,800
Sackville,	30	12,000	200	87,800	100,000
Amherst,	..	15,000	300	84,700	100,000
Total—	1797	73,300	19,980	1,768,520	1,861,800

(2.)

Naval Yard at Halifax, Nova Scotia, 1763. [*Millan's register.*]

Joseph Gerrish, storekeeper and naval officer, £150.
One clerk at £60, and one at £50.
House rent, £30.
R'd. Hamilton, mr. attend., £150.
Abr. Constable, mr. shipwright, 150.
Clerk to do., £50; House rent, £30.
John Charton, mr. carpenter and overseer of the navy buildings, 12s. each work day.

(3.)

It was in this year, 1763, that Pontiac's war occurred. He was an Indian chief, who united many tribes in hostility to the English. He besieged Detroit, with hundreds of Indians from May to October, but was finally driven off, after having done much injury to the English, and on many occasions displayed talent of a high order.

New York, Dec. 19. Friday last, capt. Montresor, engineer, arrived here from Detroit, in twenty-six days, and brought the agreeable news that the Indians under the command of Pontiac, consisting of the Ottawas, Jibbeways, Wiandots and Powtewattamies, being tired of the war, (having lost in the different attacks of the fort, vessels and row gallies, between 90 and 100 of their best warriors), and studying their present conveniency, being in want of ammunition, and the hunting season advancing, had applied to colonel Gladwin for peace, which he granted them, upon condition that it was agreeable to the commander-in-chief of North America, and that they should bring in all their prisoners, which the Indians immediately complied with, and directly sent into the fort 17 Englishmen.

The garrison of Detroit was well supplied with every thing necessary till the first of July next, and the soldiers, 212 in number, hearty and well; as they were also at all the posts on the road. Major Rogers is arrived at Niagara, with 250 men from Detroit.

The same day major Moncrief arrived here from Niagara; he belonged to the detachment under the command of major Wilkins, destined from Niagara for Detroit, by whom we learn, that on the 27th ult., at eleven o'clock at night, eighteen of their boats founder'd in Lake Erie, in a violent storm at S. E., which came on suddenly, by which accident seventy brave men were drowned; in which number was lieutenant Davidson, of the train, and nineteen of his men; as also lieutenant Paynter and doctor Williams, of the 80th, and a French pilot. The whole detachment was in danger of being lost, as every batteau that reached the shore was more than half full of water; by which means 50 odd barrels of provisions, all the ammunition but two rounds a man (which the officers saved in their horns), and two small brass field-pieces, were lost; and that after holding a council of war, it was thought most prudent to return to Niagara.

On Wednesday, the 14th of December last, a number of armed horsemen went to the Indian town in the Conestagoe manor, in Lancaster county, Pensilvania, and, without the least reason or provocation, in cool blood, barbarously murdered six of the Indians, and destroyed all their houses and effects. The said Indians settled in the heart of that province, had, during the late troubles, and for many years before, lived peaceably and inoffensively, and were justly considered as under the protection of that government and its laws. They afterwards massacred fourteen men, who had fled for refuge to the workhouse at Lancaster. The governor has, by proclamation, offered a reward of 200 l. for securing and prosecuting to conviction any three of these inhuman murderers. [*London magazine for* 1764, *pp.* 112, 113, 155.]

In the latter part of 1763, a congress with the Indians of the Southern colonies was held at Augusta. The Chickasaws, Choctaws, Creeks and Cherokees, and Catabaws, were all represented, and the results were pacific and satisfactory.—Oct'r. 20, 1763. The British troops took possession of Mobile. [*London magazine*, 1764, *pp.* 52, 53.]

(4)

GOV. WILMOT TO THE EARL OF HALIFAX.

Halifax, Nova Scotia, 10 Dec'r., 1763.

"Since my arrival here I have received two letters, dated at London, from one acques Robins, who calls himself a protestant, and says that he has obtained

permission from the lords of trade to collect together all the Acadians, and to settle on a large tract of land at Miramichie, which, he says, has been promised him by their lordships. He has wrote to the principal Acadians, inviting them to meet him at Mirimichy, promising them lands, a supply of provisions, and the free exercise of their religion; and for this purpose has promised to use his best interest to bring over with him one Manach, a French popish missionary, and a furious bigot, who, for his over zeal for his country and religion, and his endeavors for the subversion of ours, was arrested here about two years since, and sent to Europe in one of the king's ships. As I never received any orders from the lords of trade touching this matter, I have wrote to their lordships by this opportunity," &c.—" I think the establishment of all the Acadians in a collected body in this province, either on the river St. Lawrence, or on the Gulph, would be of the most dangerous consequence, as these people are all zealous Frenchmen, and the most rigid papists. Here the French would establish a secure and lasting interest." They would thus obtain influence over the Indians; secret magazines of military stores might be formed; the place would be a deposit of French commodities, and they would thus engross the Fur trade. They are now chiefly victualled by Government, having no lands or houses. If they are to remain here they should be scattered in small numbers. Thinks it would be best to send them to the islands of the French West Indies, which have become English by late conquests. Thinks they will never be reconciled to Government here. Many of them "earn their daily bread on those very lands which were formerly in their own possession." The money they cost to Gov't. would be better employed in presents, &c. to the Indians. "A chief of the Indians of the island of "Cape Breton applied lately to the comm'g. officer at Louisbourg for provisions, "who repeatedly refused any supply, upon which the Chief declared he would be "under the necessity of making application to the French, and accordingly did "so, and has been at St. Peters above 3 months past, and it's reported that he "has been very cordially received by them." Understood it had been proposed to pay off men-of-war annually on their different stations. If so, it would be a great benefit to Halifax, as thus the constant pay of six men-of-war would be expended there, besides that of others coming here to repair and clean at the Dockyard, the only commodious place for them between Cape Sable and Cape Florida.

CHAPTER XXXI.

1764. The assembly met on saturday, 24 March. Governor Wilmot opened the session by a speech, in which he says: "The islands of Breton and St. John having been annex'd to this government by the Royal proclamation, I shall consider what profits and advantages may be thence derived to the province in general, as soon as I shall receive his majesty's instructions and know his pleasure relating to this acquisition," Recommends "agriculture and fishery" to their attention, which, he says, are "connected with and dependant on each "other, and, together, forming the only lasting basis for the "prosperity of this province." Several bills were assented to by governor,—one for borrowing £2900 to pay debts, &c.—Assembly then prorogued to 1 June next.

Petitions for grants of land were frequent at this time, and much land was granted; among others, some merchants of Albany got 1000 acres each at Chediak and Tatmagouch reserved for them. The inhabitants of the North suburbs of Halifax prayed that part of the town might be called 'Gottingen,' and offered names for their streets, which was granted. 24 April. The captains of the men-of-*war* in Halifax harbor were appointed justices of the *peace.*

12 May. A petition from Belonis Roy, and 75 other heads of families, Acadian prisoners, for his excellency to send them to France, stating that they are subjects of the French king, and are not willing to acknowledge any other sovereign. On 15 May, the council advised that the persons concerned in framing and presenting this memorial should be sent to prison,

as being guilty of traiterous practices and seducing H. M. subjects from their allegiance. The council had, on 27 March, advised against settling any of the French Acadians in the province, asserting that its safety depended on their total expulsion.

On the 31 May, the governor and council assembled, and the royal commission was read, appointing Wilmot captain general and governor in chief of Nova Scotia, and another commission making him vice admiral of the province; on which he was sworn, and took the chair. The Royal instruction was then read, "signifying his majesty's pleasure, that" "the chief justice of the province shall not be capable of" "taking on him the administration of the government on the" "death or absence of the governor or commander-in-chief;" after which the usual proclamation was ordered. The lords of trade at this time directed that the account should be made up quarterly by the governor, according to the estimate, and he shall draw on the agent only one bill in each quarter for the sum required. An affair occurred in the garrison, in the 40th regiment, the corps so long at Annapolis before Halifax was built. A vessel arrived here from New York, which brought dispatches for major Hamilton, from his excellency major general Gage; and on monday, the 23 April, the garrison, consisting of a company of the royal artillery and the 40th regiment, were under arms on their respective parades; when the articles of war were read, and his majesty's orders, concerning the stoppages of provisions, were intimated to the troops, who dutifully acquiesced, and behaved with great decency on the occasion. And upon major Hamilton's telling them that they knew their duty, and that the king's order must be immediately carried into execution, the soldiers of Armiger's regiment made no reply, but required the serjeant major to deliver the following paper for them, as it contained the opinion and intention of them all:

"We, the soldiers presently serving in the 40th regiment, conscious of having at all times faithfully discharged our duty to his majesty, and considering ourselves after the war in a state of banishment, when we hoped to return home, the regi-

ment having served upwards of forty years abroad, do acknowledge that we thought it hard to pay for provisions in a country where they had always been allowed, and where necessaries are so dear; and we were sorry to be under a necessity of declining the stoppages till his majesty's pleasure was further known, which indulgence the general at first promised us. But having this day received his majesty's final orders for the stoppages, with his most gracious promise of relief by rotation, we think it our most indispensible duty most humbly to obey; and beg you would be pleased to acquaint the general, and his majesty's secretary at war, with our intention.

(Signed per order)

WILLIAM ROSS,
Serjeant-major 40th regiment.

Halifax, April 3, 1764.

To major Otho Hamilton, of the 40th regiment, commanding his majesty's troops in Nova Scotia.

Governor states (22 March) that the Acadians were conceived to be prisoners under the authority of general Amherst, who did not issue any order to remove them to Canada. Many of them were collected and sent to Boston in 1762. [These were not received there, but sent back, without landing.] He states their numbers now in the province to be:

	Families.	*No. of persons.*
At Halifax and the environs,	232	1056
King's county, fort Edward,	77	227
Annapolis Royal,	23	91
Fort Cumberland,	73	388
	405	1762

(To these were to be added above 300 in the island of Saint John, and 150 at Canso, making the total 2212.) The chief means of their support was from the provisions they received 'on the military list.' They also worked at high rates, and the wages they got clothed them. He represents their attach-

ment to France, and to the Roman faith, as an inflexible devotion, and that they hope for revolutions in their favor. Wilmot thinks their submission to the government would never be sincere, and that their settlement in the province was inconsistent with its safety. If sent to a neighboring province, they would try to get back, and in Canada they would not be well treated or happy.

In June, Mr. John Bondfield, of Quebec, claimed extensive tracts of land in this province, extending from the river *aux truites*, on the North side of Miramichi bay, to the river Roustigouche, in the bay of Chaleurs. This claim the governor laid before the council. The lands had been granted to Gobin, d'Hyberville and Fronsac—confirmed by Louis XIV in 1691, and they all became the property of *mademoiselle* Reygaillard, who sold them to Bondfield. In 1753, *mdlle.* Reygaillard had transferred her homage and fealty (which, by the treaty of Utrecht, belonged to the English crown) to the king of France, before the Intendant of Canada, at Quebec. The council, referring to the provincial act of 1759, chapter 3, annulling French titles, gave it as their unanimous opinion, 'that Mr.' 'Bondfield's claim by any such title could not be admitted.' [*See vol. 1st of this work, p.* 198.] It is to be observed that the act referred to did not extinguish the French titles in a direct manner, but forbade any recovery of lands in our courts upon them. The act has been repealed recently.

The council advised (22 June) that two assistant judges of the supreme court should be appointed, agreeably to the address of the house of assembly. On 25 July, a town was directed to be laid out at Canso, called 'Wilmot town, and regulations prescribed as to licenses there for fishing rooms. 8 August, On application of lieutenant Desbarres, (who was afterwards governor of Cape Breton, and whose surveys of these coasts have perpetuated his name. He was father of the late judge Desbarres, of Newfoundland, and grandfather of judge Desbarres, of Nova Scotia. He died at above one hundred years of age, in 1820, or soon after,) lands at Chipoudy and Tusquet were reserved for colonels Haldimand and Bouquet. 27 August. 'Wilmot' township, in the county of Annapolis,

was ordered to be surveyed and laid out. 80 acres on the peninsula of Halifax had been set apart by governor Cornwallis for the use of 'the commander-in-chief.' 40 acres of this land remained, and was now ordered to be fenced in and cleared at the public expence. A large number of petitions for grants of land to reduced officers and other settlers, were considered in council, and mostly passed: among which was one to Charles Cavanaugh, to confirm his right to lands at Canso.

About 150 Acadians, resident about Canso, left that place and went to St. Pierre, N. F., a French colony; and an Indian chief, from Cape Breton, with his whole tribe, went there, and was well received. Many Acadians who were at Philadelphia migrated to *cap François*, in the West Indies, and most of them died there.

In September, instructions were received from England, by which his majesty permitted the French Acadians to become settlers in Nova-Scotia on their taking the oath of allegiance.

The assembly met at Halifax, friday, 12 October, 1764. Governor Wilmot opened the session by a speech, in which he particularly recommended to their attention "the settlement" "forming at Canso,"—"where the necessity and benefit of a" "light house are sufficiently evident." He asks them to vote a sum to meet the expence of building and maintaining it. He also says that "the repair and improvement of the road" "to the interior could not have been effected without the aid" "of major Hamilton commanding the troops."—Salter, Gerrish, Deschamps and Hinshelwood, were the committee to answer the governor's speech. Saturday, 13 Oct'r. The House voted its thanks to major Otho Hamilton. 17 Oct'r. £100 was voted to Mr. Mauger, agent of the province. 26 Oct'r. The debt of the province is stated at £12,000. besides bounties, &c., for 1763. Much alarm at this indebtedness is expressed in the message of the house to the governor. 27 Oct'r. Mr. Green, as treasurer, is allowed £80 per annum, and £20 office rent. The members of assembly continued to serve without charge. £100 voted to the clerks. The question of Canso light house was postponed; and on the 2 Nov'r. the assembly was prorogued to 20 March, 1765.

22 Oct'r. a project was reported in the council by their committee on the affairs of the Acadian French, to settle them, on their taking the oath of allegiance, giving each head of a family 50 acres, and 10 acres more for each member of his household. 165 families, consisting of 990 persons, were to be thus provided for in different settlements of the province. The lands to be distant from the sea shore, to prevent their intercourse with St. Pierre and Miquelon, N. F. Fourteen places of settlement were pointed out. 30 families to be at Halifax and its environs—15 at Lunenburg, and at each of the twelve other places, 10 families. Governor Wilmot, writing to the earl of Halifax, 9 Nov'r., after stating the foregoing arrangement, says: "These people have been too long misled and" "devoted to the French king and their religion to be soon" "weaned from such attachments; and whenever those" "objects are hung out to them, their infatuation runs very" "high. Some prisoners, taken in the course of the war and" "residing here, have much fomented this spirit." He says that "all those people who live in and about this town have" "so peremptorily refused to take the oath of allegiance." He states their intention was to go to *cap François*—thence to the Mississippi, and finally to the country of the Illinois, there to settle. Wilmot refused to pay for their transport, which they easily defrayed with money they had saved from the wages of their labor here in four years at high rates.—Thinks the province will be much relieved by their departure, as they were hostile in their inclinations. "The French at St. Peters have "nearly completed 300 houses, with other necessary preparations for their fishery; to carry on which they have 300 shal-"lops, besides considerable quantities of fish brought them by "our fishing boats from Newfoundland, of which 10 or 12 "have been taken this summer by the king's ships, which "have been very vigilant in their duty, but have not been able "to prevent the American traders from carrying supplies "there, six of them having been lately seen in the harbor of "St. Peters."

10 November. The honorable Jonathan Binney, esquire, was sworn in as a member of H. M. council, by mandamus.

13 Nov'r. Many petitions for grants of land were heard in council, and granted: one of lord Colville, for 20,000 acres at Ship Harbor; one from Joseph Frederick Wallet DesBarres, on behalf of colonels Bouquet and Haldimand, capt. Prevost, Peter de Vieme, Hugh Wallace and others, praying for 100,000 acres at the river Shipody; and Robert Sinclair, and 19 others, for 20,000 acres near Beaver harbor. 14 Dec'r. Several petitions for land were granted, among others Long Island, on St. John's river, to Sir Robert Wilmot, knt. (1000 acres of land were granted to Ann Wilmot, 4 Nov'r., 1763, on the river Chibenacadie.) In council, 24 December, 1764. Present: his excellency the governor; messrs. Collier, Morris, Bulkeley, Gerrish, Crawley, Newton, Francklin and Binney, councillors. "Resolved, That part of the tract of land formerly called Piziquid, on the South East of the river commonly known by the name of Pisiquid river, in this province of Nova Scotia, shall be erected and incorporated into a township, hereafter to be known and called by the name of Windsor." The bounds are then given, (reaching to the St. Croix, &c.) It is to be in the county of Halifax. A public market to be held every tuesday on "Fort hill, where Fort Edward now stands," and two public fairs on Fort hill, on 3rd tuesday of May and 3rd tuesday of October, yearly. Major Otho Hamilton, of the 40th regiment, applied, on behalf of himself and a considerable number of officers, gentlemen, traders and farmers, for a township of 100,000 acres on the St. John river, Petitioners referred to board of trade, and the land meanwhile to be reserved.

Many of the Acadians (prisoners) hired vessels at their own expense, and 600 of them (including women and children) departed from Halifax about the end of November for the French West Indies. They had received rations similar to the soldiers, and they used to supply the town with wood for firing. On this account their absence was severely felt by the inhabitants. Their countrymen, who had gone thither from Georgia and Carolina, &c., had encountered great mortality, but this did not deter them, and about as many more, who were in other parts of the province, proposed to take the same course in the ensuing spring. Their determined hostility and

utter repudiation of any allegiance to the English king, induced the council and lord Colville, the admiral, to advise their full liberty to depart, the more so as if obstructed in this design they meant to have gone to St. Pierre and Miquelon, where they would become a great acquisition to the French and dangerous to Nova Scotia. Wilmot calls them '*inveterate*' '*enemies*.' Wilmot refers to a promise made to the Indians of St. John's river, by this government, to send them a priest, which the lords of trade now forbid. He regrets this, as it will confirm the Indians in the notion inculcated by the French, that the English "are a people of dissimulation and artifice," "who will deceive and deprive them of their salvation." He thinks the most gentle treatment proper to use with the Indians, and mentions their very lately burning their own mass house, (church), by command of their priest detained at Quebec, (Germain?) as a proof of their zeal and devotion to the will "of a French jesuit."

CHAPTER XXXII.

1765. The governor and council determined, 30 January, that the house of assembly should be dissolved, and writs issued for a new election. The members to be elected as follows :—

County of Halifax,	four	members.
Town of Halifax,	two	do.
Every other county,	two	do.

Horton, Cornwallis, Falmouth, Cumberland, Granville, Annapolis, Lunenburg, Liverpool, Onslow and Truro, one member each.

The writs to be returnable 30 March next. All other townships, on proof that they consist of fifty families each, shall have a writ for the return of one member to represent them in general assembly.

At this period arose the first cause of anger and separation between the mother country, England and her colonies on this continent, now the United States. In 1764, a vote was passed by the House of Commons, "that towards defraying" "the necessary expences of protecting the colonies, it may" "be proper to charge certain stamp duties upon them." The ideas of being taxed in the British house of commons, in which they were not represented, and of being charged with the cost of a great war, in which they had fought and lost so many of their people in defence of the national territory and honor, proved unpopular in America. Lord Bute, by whose private influence all the measures of government at that day were supposed to be directed, became an object of dislike and contumely, and all ranks and orders of men in the older colonies

formed themselves into associations, who bound themselves to consume as little of British manufactures as possible, and to manufacture for themselves every article of use that they could make. During the war of 1739 with Spain, Sir Robert Walpole was advised to tax the colonies, but declined the proposition, on the ground that Great Britain would profit more by their consumption of her manufactures. In the speech from the throne, January 10, 1765, is this passage: "My lords and gentlemen: The experience which I have had of your former conduct makes me rely on your wisdom and firmness in promoting that obedience to the laws and respect to the legislative authority of this kingdom, which is essentially necessary for the safety of the whole, and in establishing such regulations as may best connect and strengthen every part of my dominions for their mutual benefit and support." Considerable debate occurred in parliament on the passage of the stamp act, both on the question of right and expediency. The money was to be paid into the British exchequer. The bill received the Royal assent, by commission, 22 March, 1765. [*Annua Register*, *p.* 50.] When this was known in Boston, the ships in the harbor hanged out their colours half-mast high, in token of the deepest mourning; the bells rang muffled; the act itself was printed with a death's head to it, in the place where it is usual to fix the stamps, and cried publickly about the streets by the name of the "Folly of England and ruin of" "America." Pamphlets, pasquinades, &c., rapidly appeared. The act was publicly burnt in several places with the effigies of those who were supposed to have promoted it. Votes of thanks were passed to general Conway and colonel Barré, who had opposed it in the house of commons. The stamp distributors were compelled to swear against acting. Committees of correspondence were established, and a congress at New York proposed. (April 20th. £60,000 of stamp duty voted for troops, forts, &c., in colonies, and to be reserved for expences of protecting the colonies, &c.) By the 1 November, not a sheet of stamped paper was to be had in the colonies of the continent. Newspapers in Canada, that used them, could not find purchasers. Resolutions against importing British goods

were generally passed. In the West India islands the act was submitted to, except at St. Christopher and Nevis; and in Nova Scotia some obedience was given to it.

The vote in parliament for Nova Scotia, passed 26 March, for the civil establishment in 1765, £4911 14s. 11d.; and for expences not provided for, incurred in the service of Nova Scotia in 1750, 1751, 1752, 1762, 1763, £7000. The excitement produced in the older English colonies by this unprecedented measure of the stamp act, could not have been much felt in Nova Scotia. The great trouble and expence of the crown to complete the conquest here—the contests with the French and Indians, and the generous aid to settlement in the parliamentary grants, all tended to knit the affections of the settlers to the paternal and fostering authority of the crown. In addition, the great number of military and navy who had become inhabitants, and the liberality displayed to the emigrants from Connecticut, Rhode Island, &c., by the government, as they were removed at public expense and endowed with the cleared and marsh lands vacated by the French exiles, united to cause among the majority of the people a grateful feeling towards the crown, that would hardly suffer them to scrutinize too minutely the principles of the obnoxious act of parliament. Besides, the personal welfare and comfort of so many of our people depended on the expenditure of public money which flowed freely hither in naval and military channels, and otherwise, that no serious opposition to any measures of the crown could be reasonably looked for in this quarter. At the same time, as many of the settlers originated in the New England provinces, it is natural to suppose that some of them would participate in a greater or less degree with their relatives and countrymen in the dissatisfaction felt universally in the older colonies against the stamp act. I have observed that the act was so far obeyed here that many stamped deeds were executed.

In council, 6 March. Several land petitions were granted, among others that of Michael Head, for 1000 acres in Amherst township. The inhabitants of Sackville, (a township now in New Brunswick), petitioned for a member to represent them

in general assembly, stating that there were eighty families therein. 30 April. An application was made for tracts of land, in all 2000,000 acres, by Alexander McNutt, acting on behalf of merchants and others, chiefly of Philadelphia, among whom was Dr. Franklin. McNutt applied for a tract of land at or near Port Roseway, (port Razoir), sufficient for a township, and further prayed that a charter might be granted to erect a city there, to be called Jerusalem. (This is the site of Shelburne.) The council advised in favor of this application. Governor Wilmot represents McNutt as very active and zealous in promoting settlement, and the people he had introduced here as useful and valuable settlers.—The principal inhabitants of Halifax memorialized the governor for a charter of incorporation, and this the council advised to be granted. It was not, however, until 1841 that Halifax became an incorporated city. It was resolved at this time that St. John's river should be erected into a county, by the name of Sunbury. A town was laid out at Canso, and named Wilmot. The governor recommended that place to the earl of Halifax, then secretary of state, as suited for a fortification sufficient to repel any insult at the beginning of war.

On tuesday, 28 May, the fourth general assembly of the province met at Halifax. I may here remark that the assemblies have invariably met there from the first convening in 1758 to the present day. The provost marshal, whose duties were co-extensive with the province, returned 14 county members and 13 township members,—total 27. [*See list in appendix.*] The members in attendance were sworn, and chose Mr. Nesbitt speaker. Governor Wilmot opened the session with a speech. Isaac Deschamps was elected clerk—the rev. Mr. Wood, chaplain, and Alexander Cunningham, messenger and doorkeeper. £60 per annum was voted to the clerk, 3s. a day to the chaplain, and 3s. a day to the doorkeeper. The members resolved to attend without compensation or charge this session. 30 May. The house addressed the governor, claiming two members for each township, as before usual; but the question was set at rest by an act which passed, (1765), c. 10, fixing the number of members according to the new arrangement.

The council had changed the constitution of the representative body several times, but under this act it could not be tampered with, unless by the concurring judgment of the three branches of the legislature. On the 21 Nov'r., 1767, lieutenant governor Francklin received an order of the king in council, repealing this act, and an additional royal instruction, dated 11 Sept'r.. 1767, forbiding the passing of any act of this kind in future, Two members were allowed the new county of Sunbury, and one to the township of Sackville, (both now in the province of New Brunswick), thus making the whole number of representatives 30; and by the 2d clause it was provided that the townships of Barrington, Yarmouth, Chester, Dublin, Amherst, St. John's, Windsor, Wilmot, on the river Annapolis, Louisbourg, and Wilmot town, at Canso, should each have one representative when 50 families were proved to be in the township claiming a member. (Several of these townships obtained representation accordingly; but a royal instruction subsequently directed the governor not to act on this clause without first ascertaining his majesty's pleasure. By another act, passed in 1784, two members each were allotted to the then new counties of Shelburne and Sydney, and one member each to the townships of Shelburne and Digby.) June 14. The house proposed to reduce expenses by not paying

The justices of the Inferior court,	£275
Clerk of Supreme court to get only £30,	20
Workhouse to be shut up,	165
Lighthouse to be farmed,	200
Market house do.,	40
Collectors of impost and excise to have 7½ per cent. on collection, thereby	100
Total proposed savings,	£800

The council objected to the first item, deeming it unconstitutional to take away the judge's salaries. The plan was amended by leaving the first item out. A law was also passed to issue small notes in lieu of larger notes given for provincial

loans. 15 June. The governor thanked both houses, and prorogued the assembly to 30 Sept'r. next.

In June and July, very large grants were advised in council. The grants were to Alex'r. McNutt and his associates, besides which above a million and a half acres were reserved in large blocks for them in different places, on certain terms of settlement.

The enforced parsimony of the provincial government is, perhaps, the most remarkable circumstance, except the enormous land grants. Thousands of acres, in all directions, appear to have been given not only to the deserving officers who had conquered Canada, but to all projectors who offered to make settlements. This profusion of giving away the crown lands without stint or reflection, cannot, even at this distant day, be viewed without dissatisfaction. It could not really have tended to people the country to any extent worth consideration, while it locked up large tracts of land from settlement afterwards, and created a mania for speculating, that proved ruinous to almost all who embarked in the pursuit. One circumstance for a long time augmented the number of crown grants. In the earlier period, the grants issued gratuitously altogether, but now fees were appointed to different public officers, on every land grant, and thus an interest existed in different quarters to multiply their issue, as they became after a while a source of income to men whose salaries were very small.

In July, a report of dissatisfaction among the Indians in the N. E. part of the province, on obstruction given to their fishery, created some alarm. Their chiefs were sent for, and measures proposed for arming the militia.

Lieut. Christopher Aldridge petitioned the government for a property called the Whitehouse field, at Annapolis. His grandfather, major Christopher Aldridge, of the 40th regt., bought it from French owners, with consent of government—built houses on it and improved it, and his father, who was also major of the same regiment, had possessed it. Unaware of his title, the government of the province had lately granted it in trust for fortifications, at the request of the engineer at

Annapolis Royal. Mr. Aldridge's claim was acknowledged to be just, and the council advised that he 'should have an' 'equivalent made him for said land, as has been usual where' 'lands have been required for the publick service.' A fire occurred at Montreal, by which the people of that city lost to the value of about £87,000, and governor Murray requested a contribution from the inhabitants of Nova Scotia. The council, on this, requested (26 August) the rev. Mr. Breynton and the rev. Mr. Lyon to preach suitable sermons, in order to raise a sum.

In the autumn, the disturbances occasioned by the stamp act at Boston, New York, &c., were indicative of the highest excitement and dissatisfaction. In Boston the people shewed their anger in many forms, but the most striking instance was in the destruction of everything in the house of Hutchinson, the lieutenant governor, whose history of Massachusetts is an imperishable monument of his industry and sound judgment, and from which all subsequent writers of New England's early affairs have been obliged to borrow. The New York people exhibited, if possible, a wilder fury against all who supported the execution of this obnoxious law; and in Pensylvania similar feelings predominated. It must not be supposed that at this time a republican spirit existed to any great extent in the English colonies. It will be remembered that governor Lawrence considered the New Englanders as inflexibly loyal, and evinced the sincerity of that opinion by his unwearied exertions to settle them on the lands in Nova Scotia, evacuated by the French Acadians; and other governors of Nova Scotia and Massachusetts had expressed the same views repeatedly. That the people in Massachusetts and Rhode island had ideas of equality, cannot be doubted; and their peculiar religion as independants or congregationalists, as well as the views of their first founders, and the circumstances under which they left England, combined to keep up a sentiment hostile to the established church, and not very favorable to monarchy. In fact, they gloried in the name of *Cromwellians*. This, however, was not universal in New England, while the middle and Southern colonies held very different

views. The stamp act, which received the royal assent on the 22 March, 1763, was passed by the parliament of Great Britain in order to raise a revenue from the colonies in America, to indemnify the parent kingdom for the expences of 'defending,' 'protecting and securing' them. During its passage, petitions from the provinces of Virginia, Connecticut and South Carolina, were offered in the house of commons against it. In the petitions of Virginia and Connecticut, the right they had always enjoyed of taxing themselves in their own assemblies, as far as internal taxation was concerned, was distinctly propounded, and Virginia claimed to be heard by counsel against the act. The house of commons refused to hear those petitions on a division of 245 to 49. This law imposed no less than "53 sorts of stamp and *other duties*." Stamps were made necessary for all deeds, law papers, obligations, &c. Every attorney, notary or barrister, must pay £10 stg. for a stamped license. Penalties were made recoverable not only in courts of law, but before the judges of admiralty. — The magazine writer in London, in the September number, 1765, published before the riots occurred, says: "And as a great number of new offences, new penalties, and new offices and officers, are by this act created, we cannot wonder at its being extremely disgustful to our fellow subjects in America: Even the patient and long suffering people of this country would scarcely have borne being subjected at once to all the stamp duties we have been by degrees loaded with, and they will be found more inconvenient in America than they ever were or can be in this country." The measure, therefore, was, in its details, calculated to irritate and be oppressive to a people unused to taxation almost altogether; but the fatal error, and that which now began to sap and eventually undermined and destroyed the towers of loyalty in the 13 colonies, was the assumption then first attempted of levying direct taxes by the vote of the people of England on their American brethren, who had so long enjoyed free representative governments and taxed themselves, coupled with this additional grievance, that in the mode and expense of collection, as well as in the appropriation and expending the money raised, those who paid it

were to have no voice whatever. It cannot, then, be wondered at, that this extensive infliction, coming within two years after the pacification of the continent, at the close of wars in which they had suffered much from the French and Indian foe, and had ever been prompt to rally round the flag of Britain, gave deep and lasting offence, and created a settled jealousy of English legislation.

Although Nova Scotia was in an exceptional position, and owed too much to the crown and to parliament for past kindness to participate in the opposition of the older colonies, and as governor Wilmot says "H. M. subjects in this province" "have, without any opposition, submitted themselves to the" "authority of parliament," yet I have thought it essential to a full understanding of our affairs, in this as in several other instances, to give a sketch of what was doing among our neighbors.

The governor and council, 31 Oct'r., ordered that the salary of £100 per annum be paid to each of the justices of the supreme court from the day of their appointment. Many land grants were about this time ordered,—some of 100,000 acres, one of 120,000. In many of the land grants Dr. Franklin was interested. He was influential in England at this time. He became postmaster general. He wrote verses in eulogy of Geo. 3, in the Annual register. Governor William Franklin, who afterwards was a loyalist, is said to have been his natural son; and Anthony Wayne, afterwards general, was sent here by Dr. F. and his associates as a surveyor in 1765 and 1766. [*See Wayne's life.*] It is interesting to notice a reserve made for the Indians (29 October) of 4 acres at St. Ann, the island called *Aux pacques*—4 acres for a church, and 500 of woodland for their use. 10 Dec'r. The island of Breton (Cape Breton) was erected into a distinct county, to be called the county of Breton, comprehending the isles of Madame and Scatarie, and all others within the distance of three leagues. They were to have a Quarter sessions, an Inferior court, and two county members in the assembly.

A claim was received from Nathaniel Donnell, esquire, for £2477 6s. 11d. currency, lost by his debtors French inhabi-

tants removed. 'Ordered, that he apply in person, to make' 'good his allegation.' The Donnells, we find, as Annapolis merchants, trading from an early date with the Acadians, in the bay of Fundy.

In closing the outline of 1765, and reflecting on the very large land grants, sanctioned by colonel Wilmot and his council, I cannot help thinking it an *ugly* year, and that the growth of the province was long retarded by the rashness of giving forest lands away from the power of the crown or the people in such large masses.

APPENDIX TO CHAPTER XXXII.

(1.)

Halifax, tuesday, 28th May, 1765.

LIST OF THE MEMBERS RETURNED BY THE PROVOST MARSHAL.

County of Halifax—William Nesbitt, Esq'r., Benj'n. Gerrish, Esq'r., Mr. John Butler, Mr. William Best.
King's County—Winckworth Tonge, Esq'r., Charles Morris, junr., Esq'r.
Queens County—William Smith, Esq'r., Simeon Perkins, Esq'r.
County of Lunenburg—Joseph Pernette, Esq'r., Mr. Philip Knaut.
County of Annapolis—Joseph Winniett, Esq'r., John Harris, Esq.
County of Cumberland—Benoni Danks, Esq'r., Mr. Gam'l. Smethurst.
Town of Halifax—Charles Procter, Esq'r., Richard Wenman, Esq'r.
Town of Truro—Charles Morris, junr., Esq'r.,—a double return.
Town of Onslow—James Brenton, Esq'r.
Town of Horton—William Welch, Esq'r.
Town of Cornwallis—John Burbidge, Esq'r.
Town of Falmouth—Isaac Deschamps, Esq'r.
Town of Newport—John Day, Esq'r.
Town of Liverpool—Elisha Freeman, Esq'r.
Town of Lunenburg—Archibald Hinshelwood, Esq'r.
Town of Annapolis—Jonathan Hoar, Esq'r.
Town of Granville—Henry Monro, Esq'r.
Town of Cumberland—Mr. Josia Troop.

(2.)

In council, 2d July, 1765:—

Present: His Excellency the Governor; the Honble. Jonathan Belcher, John Collier, Richard Bulkeley, Edmund Crawley, Henry Newton, Michael Francklin, councillors.

"Ordered, That the attorney general shall make enquiry whether there is a sufficiency of people for making up a jury, to be summoned at Louisbourg."

"Ordered, That the lighthouse be farmed to any sufficient person who will undertake the expences for the Light Duties, with an allowance from the Government of £20 per annum for a clerk, and that Mr. Joseph Rous shall have the preference of this offer."

"That the keeper of the workhouse have notice that the Government will not grant any supplies to maintain it, and that he shall shut up the same, and apply to the justices for further orders."

"That the market-house should be farmed, and an advertisement of the same be put in the Gazette;" and

"That the overseers of the poor be desired to prepare a list of persons now in the workhouse, setting forth their age and condition, and every circumstance relating to them."

"On the memorial of Alexander McNutt, Esq'r., in behalf of himself and others, for 1,600,000 acres of land to be settled into townships, Resolved, that 100,000 acres shall be reserved for said Alexander McNutt, and his associates, at Merimichi—at Pictou, 100,000 acres—at St. Mary's river, 100,000 acres—at St. Mary's bay, 100,000 acres—at Pidcoudiak 100,000 acres, and 1100,000 acres on St. John's river, on condition that 50 families shall be settled on each 100.000 acres every year until the whole shall be completed. The first settlement to be completed within one year from the date of the reservation, allowing 500 acres to each family; and in case such settlement shall not be made in the first year, the reservation of the whole to be void."

(3.)

By letters received from Boston, in New England, there is an account of a dangerous mob, which arose in the middle of August, on account of the stamp duty, and did considerable mischief; but on the 16th of August they were more violent than before, which continued until Sunday, the 18 of September, by which time the magistracy had raised and armed five hundred men, and had committed several of the rioters to gaol,—but not till they had destroyed all the goods and papers of the comptroller, judge of the admiralty, distributor of the stamps, as well as every individual article in the house of the lieutenant governor, Hutchinson, even to the uncovering his house, burning all his books and papers, carrying off even his clothes, as well as those of his sister and daughter, putting them on by way of masquerade, besides 900l. sterling in cash, scarce leaving him any more than the shirt he had on.

At Newport, in Rhode Island, they had acted in the same manner; so that the principal persons were obliged to fly for refuge on board the Cygnet, man-of-war. And in other parts of North America a great repugnancy and opposition to the new act have manifested themselves.

At a meeting of freeholders, &c., at Boston, in New England, the 18th of September, a committee of seven gentlemen was chosen to draw up and transmit to Mr. Secretary Conway and Colonel Barré, several addresses of thanks for their patriotic speeches in parliament, in favor of the colonists; and to desire correct copies thereof to be placed among their most precious archives; and have voted the pictures of these gentlemen to be placed in their town hall.

The stamp duty is so repugnant to the ideas of the people of America, that in most of the northern colonies they have obliged the stamp officers to resign their places; and when the gentleman appointed to Virginia arrived there, he was well entertained with a supper and a ball, and great civility shewn him; but was obliged next morning to re-embark on his return to England. When the stamped paper arrived at Philadelphia, the vessels in the harbour hoisted their colors half mast high, the bells rang, being muffled, and every countenance betrayed dejection. Finally, they obliged the stamp distributor to promise not to exercise his office, and the stamped papers were obliged to be taken on board a man-of-war, to secure them from the rage of the populace. The lawyers in New Jersey, &c., have resolved not to use the stamped papers. [*London magazine*, 1764.]

(4.)

[From a letter of lieut. governor Colden to secretary Conway, dated New York, Nov'r. 5, 1765.]

"On the evening of the first day of this month the mob began to collect together, and after it became dark they came up to the fort gate with a great number of torches, and a scaffold on which two images were placed, one to represent the Governor in his grey hairs, and the other the devil by his side. This scaffold, with the images, was brought up within 8 or 10 feet of the gate, with the grossest ribaldry from the mob. As they went from the gate they broke open my coach-house, took my charriot out of it, and carryed it round the town with the images, and returned to the fort gate, and there hung up the immages. After hanging some time, they were burnt in a fire prepared for the purpose, together with my charriott, a single horse chair and two sledges, our usual carriages when snow is on the ground, which they took out of my coach house. While this was doing, a great number of gentlemen of the town, if they can be called so, stood around, to observe the outrage on their king's governor. The garrison was at the same time on the ramparts, with preparation sufficient to destroy them, but not a single return, in words or otherwise, was made from any man in the Fort while this egregious insult was performing. You may be assured, sir, that the people of this place have not had at any time the least provocation from me, either in words or any kind of action, other than receiving the packages with the stamped papers into the fort, and putting the fort in a posture of defence, after open and bold threats were made of taking it by force, tho' every artifice was made use of to make me say or do some rash thing.

When I make one concession another more insolent is demanded, as I expected would be. It is given out that the mob will storm the fort this night. I am not apprehensive of their carrying their purpose,—probably it might be attended with much bloodshed, because a great part of the mob consists of men who had been privateers and disbanded soldiers, whose view is to plunder the town.

This goes by major James, of the Royal artillery, who, with much zeal for H. M. service, put the fort in the best posture of defence he could, for which reason the mob, the same night they insulted their governor, broke open his house, burnt all his furniture, wearing clothes, and everything in it, to a great value, at the same time threatening to take away his life, in the most shameful manner. He will be able, sir, to inform you of everything that has passed, and knows the authors of these rebellious proceedings."

[From the same to the same, 9 Nov'r., 1765.]

"The leaders of the mob issued their edicts from time to time by affixing their placards in the Merchants' Coffee House, and at the corners of the streets, where they remained whole days and nights." (Sends copies of two.) "In the present state of this city, it is certain I can procure no legal evidence tho' it is evident that, was the course of justice free, the authors and conductors of the present sedition cannot remain undiscovered. I have the strongest presumption from numerous circumstances to believe that the lawyers of this place are the authors, promoters and leaders of it. People in general believe it, and many must with certainty know it. I must add that all the judges have given too much countenance to their proceedings, one of them more than the others."

Blames the towns-people particularly. "The merchants in this place think they have a right to every freedom of trade which the subjects of Great Britain enjoy." Suggests sending judges and attorney general from England, with a regiment, &c, "Sir Jeffery Amherst is the best judge in case of vigorous measures."

CHAPTER XXXIII.

1766. The disturbances in the colonies threw all business in America into confusion. The merchants there who imported British manufactures were unable to make their usual remittances or to send orders for a fresh supply, owing to the associations formed to discourage the trade. Consequently, petitions were universally got up in the manufacturing towns of England, as well as in London, Liverpool and Bristol, to the parliament, shewing the fatal injury to trade and industry that the stamp act produced. In addition, the agents for the island of Jamaica and the provinces of Virginia and Georgia, petitioned against it, on the ground of its oppressive character and their inability to bear the tax. The repeal of the act was carried on 24 February, 1766, in the house of commons, by a majority of 275 to 167. In their debate, the great Wm. Pitt spoke most earnestly and eloquently in favor of America. In the house of lords, 62 lords present voted against the repeal, and 10 more by proxy, on 10 March. For the repeal, 73 lords present, and 32 proxies. The repealing bill received the king's assent on the 18 March, but with it there was passed another act, declaring the right of the king and parliament of Great Britain to make laws to bind the colonies in all cases whatsoever. The rejoicing in America, on news of the repeal, was excessive everywhere.

March 13. The parliamentary vote for Nova Scotia for the year 1766, was £4866 3s. 5d.; unprovided for in 1750, 1751, 1752, 1762 and 1763, £8008 12s. 7d.

May 23. Governor Wilmot died, and the hon. Benj. Green assumed the administration of the government. On tuesday, 3 June, the assembly met, and Mr. Green, as commander-in-chief, opened the session. In doing so, he condoled with the council and house on the death of colonel Wilmot. June 5. David Archibald, esquire, returned for Truro, took his seat. Mr. Gregory Townshend, and John Grant, esq., were returned for the county of Breton, being chosen by the inhabitants. 6 June. Petitions from Horton, Cornwallis and Falmouth, in King's county, were presented, complaining that no business can be "brought into the courts without employing attornies, "which are not to be had, except at Halifax, and there the "demands are so extremely exorbitant that it is better to lose "a debt (unless very large) than to sue for it, and also by levy-"ing executions on real estates without any time of redemption, "and praying the house would take the same into considera-"tion, and vouchsafe them some relief." This was sent up to the council, who desired to hear persons in support of the petition. The commander-in-chief sent a message to the house, that "the chiefs and principal persons of the Indian tribes are come in to solicit for their accustomed annual presents, and that those of the other tribes may be daily expected on the same errands." He estimates the expenses at about £400. "The welfare of the provinces and the very existence "of our new settlements" depends on good agreement with "those tribes." He is expressly restricted from applying any part of the parliamentary grant to such use, and recommends the house to make provision for it. It appears that the Indians of cape Sable alone expected presents to the value of £88. June 7. The return for the county of Breton was reported by a committee to be invalid, not shewing the choice to have been made by freeholders. This report the house confirmed on the 13th. The house complained of several hundred pounds paid out which they had not voted, and asked for an estimate. [*See appendix.*] (At a council holden at Halifax, on the 11th June, 1766, present: the honorable the commander-in-chief, the honorable Jonathan Belcher, John Collier, Charles Morris, Richard Bulkeley, Joseph Gerrish, Edmund

Crawley, Henry Newton, Michael Francklin, councillors. The assembly having stated inability to find money for the presents the several Indian tribes had applied for, the council advised a list should be laid before the council of the presents necessary, and that they should be bought, and application made to the board of trade for the money. "The several" "tribes of Indians having again renewed their application for" "a priest, it was advised that a message should be sent to" "père Bonaventure, at the bay of Chaleurs, inviting him to" "Halifax to receive such instructions as shall be thought" "necessary to satisfy the Indians.") July 2. The commander-in-chief made a speech to both houses, informing them of the two recent acts—repealing stamp act, and declaring dependancy of the colonies. July 4. Differences between the house and council about salaries, &c. Recess by commander-in-chief's leave from 5 July to 29 July, 1766. 31 July. Address to the crown on repeal of stamp act, agreed to. August 1. £42 10s. voted to Anthony Henry, for printing votes of two sessions. £9 to Alex'r. Cunningham, messenger and door-keeper, for his services this session. Mr. Green, the commander-in-chief, after a speech, in which he regrets that provision was not made for public creditors, prorogued the assembly to 28 October next. (At this time there were 104 settlers in the township of Yarmouth.)

In July, a congress of Pontiac and the chiefs of the Ottawas, Pottattowantomies, Hurons and Chippewas, met, 23 July, with Sir William Johnson, and other British officers, in which pacific arrangements were made. [*New York Documents, v. 7, pp. 854 to 867.*] [29 June, the rev. Sir Philip Hoby, dean of Ardfert, in Ireland, died. The title was thus extinct. Sir Charles Hobby, his predecessor in the baronetcy, was connected with New England and Nova Scotia. *See v. 1, p. 329, &c.*]

Admiral Durell died at Halifax this summer.

The honorable Michael Francklin, esquire, having been appointed lieutenant governor of Nova Scotia, was sworn into office, and assumed the command of the province on 23 Aug't. Council, 9 Sept'r., 1766. Present: the lieutenant governor, messrs. Belcher, Green, Morris, Bulkeley, Gerrish, Crawley.

"On considering the want of a sufficient number of copies of the laws of the province, and the great necessity of a correct and compleat edition,—Ordered, that Mr. John Duport do prepare such edition, which shall be printed in folio by Mr. Robert Fletcher, he furnishing 200 copies, for which he shall be paid £180." 19 Octr. Mr. Anthony Wayne, (afterwards called mad Anthony, a celebrated general in the revolutionary war), applied for a grant of 6000 acres at Petitcoudiac.—23 October, thursday, the assembly met. The lieutenant governor, Michael Francklin, opened the session with a speech. He congratulates them on the "paternal tenderness" of the king and parliament for the colonies, and acquaints them that "the conduct observed in this government during the late commotions in America, has obtained his majesty's highest approbation." Messrs. Gerrish, Hinshelwood and Smith, were the committee to prepare reply to speech. Friday, Oct'r. 24. Malachy Salter, returned as member for Yarmouth, took the oaths and his seat. Oct'r. 27. Benjamin Mason, returned for township of Sackville, took the oaths and his seat. Oct'r. 31. The house voted £60 to Mr. Duport, for preparing an edition of the laws for the press; and £180 to Mr. R. Fletcher, for printing them. For repair of public buildings, £1119 10s. 4d. was voted;

£76 14s. 0d. } To Anthony Henry, printer,
42 10s. 0d. } And a multitude of other items.

Nov'r. 7. The lieutenant governor requested the house to pay £245 11s. 4d., the funeral charges of governor Wilmot, as they had done in the instance of Lawrence; but while they professed great respect for his memory, they declined the proposal, on the ground of the distress and debts of the province. Nov'r. 13. They voted £50 for a piece of plate for Joshua Mauger, their agent, as a testimonial of his services. They also addressed the crown for leave to have a paper currency. Nov'r. 22. The house fined messrs. Perkins, Freeman and Archibald each £5, for non-attendance. This session was closed now with the thanks of the lieutenant governor to the house for their unanimity in closing the public business; and the assembly was prorogued to the 29 January next.

Lieutenant governor Francklin, in a letter to the earl of Shelburne, dated 21 November, says: "The country people in general work up for their own use, into stockings and a stuff called by them homespun, what little wool their few sheep produce; and they also make part of their coarse linen from the flax they produce. The townships of Truro, Onslow and Londonderry, consisting in the whole of 694 men, women and children, composed of people chiefly from the North of Ireland, make all their linnen, and even some little to spare to the neighbouring towns. This year they raised 7524 lb. of flax, which will probably be worked up in their several families during this winter." This letter appears to be a reply to queries sent to the colonies to ascertain if any attempts at manufacturing existed, it being then seemingly the doctrine in England that any such efforts should be crushed, lest the English manufactures should suffer from them. Francklin says: "I cannot omit representing to your lordship, on this occasion, that this Government has at no time given encouragement to manufactures which could interfere with those of Great Britain, nor has there been the least appearance of any association of private persons for that purpose, nor are there any persons who profess themselves weavers, so as to make it their employment or business, but only work at it in their own families during the winter and other leisure time. It may be also proper to observe to your lordship, that all the inhabitants of this colony are employed either in husbandry, fishery, or providing lumber; and that all the manufactures for their cloathing, and the utensils for farming and fishing, are made in Great Britain."— In council, 24 Nov'r. The lieutenant governor communicated to the council the certain information of the arrival of his majesty's ship, the Glascow, at Owl's head, with the right honorable the lord William Campbell, his majesty's governor of this province, on board; and it was resolved, that preparations should be made to give his lordship the most honorable reception. Governor Campbell was sworn into office, at Halifax, on the 27 November. The first royal instruction accompanying his commission appointed as councillors, Belcher, Green, Collier, Morris, Bulkeley, Gerrish, Crawley, Newton,

Francklin, Zouberbuhler, Jonathan Binney and Jos. Gorham,—messrs. Francklin, Zouberbuhler and Gorham, were absent. The usual proclamation was then ordered to issue. 20 Dec'r. Mr. Gorham was sworn in as a councillor. Ensign Jeremiah Meara, commander at Fort Frederick, at St. John's river, wrote to governor Campbell, stating a complaint made by two Indians against colonel Glazier and Israel Perley, for injury and violence. This was referred to the justices of peace of Sunbury county, to take depositions on oath in the most public manner, in order that the governor might do full justice.

APPENDIX TO CHAPTER XXXIII.

(4.)

ABSTRACT OF THE ACT OF PARLIAMENT FOR THE BETTER SECURING THE DEPENDANCE OF HIS MAJESTY'S DOMINIONS IN AMERICA, ON THE CROWN OF GREAT BRITAIN.

The preamble sets forth, "That several of the houses of representatives in his majesty's colonies in America had of late, against law, claimed to themselves, or to the general assemblies of the same, the sole and exclusive right of imposing duties and taxes on his majesty's subjects in the said colonies, and have passed certain votes, resolutions and orders derogatory to the authority of parliament, inconsistent with the dependancy of the said colonies upon the crown of Great Britain; it is, therefore, declared, that the said colonies have been, are, and of right ought to be subordinate unto and dependant on the imperial crown and parliament of Great Britain; and that the king and parliament of Great Britain had, hath, and of right ought to have, full power and authority to make laws, and statutes of sufficient force to bind the colonies, and his majesty's subjects in them, in all cases whatsoever."

"And it is further declared, that all resolutions, votes, orders and proceedings in and of the said colonies, whereby the power and authority of the king, lords and commons of Great Britain, in parliament assembled, is denied or drawn into question, are, and are hereby declared to be utterly null and void to all intents and purposes whatsoever."

This act is very like an act passed 7 April, 1720, declaring Ireland to be subordinate and dependant, and bound by laws made in the British parliament.

(2.)

FIRST ESTIMATE OF PROVINCIAL CIVIL LIST.

Monday, June 16, 1766.

The commander-in-chief sent to the House an estimate of the present annual Provincial expences of Government at Nova Scotia, as follows, viz't. :—

Salaries of two assistant justices of the Supreme Court, £100 per annum each,	£200	0	0
Ditto for the first Justice of the Inferior Court.	75	0	0
Ditto for the four other Justices, at £50 each,	200	0	0
Salary of the Attorney General,	100	0	0
Ditto of the Clerk of the Supreme Court, besides wood and stationary,	50	0	0
Ditto of the Clerk of the Council in General Assembly,	60	0	0
Ditto of the Clerk of the House of Assembly,	60	0	0
Ditto of the Secretary of the Council,	60	0	0
Ditto of the keeper of the House of Assembly, besides wood,	30	0	0
Ditto of the Cryer of the Court,	8	0	0
Ditto of the Treasurer, for himself, office rent, fuel, stationary, &c.,	182	10	0
Ditto for assistance,	60	0	0
Ditto for the Clerk of the Audits,	50	0	0
Ditto for two Collectors of Duties at Halifax, £150 each,	300	0	0
Ditto of Waiters and Guagers to attend them,	145	0	0
Ditto of a Collector of the Duties at Louisbourg,	75	0	0
Ditto of a Waiter at ditto,	40	0	0
Ditto of a Collector of Duties at Canso,	75	0	0
Ditto of a Waiter at ditto,	40	0	0
Ditto of a Collector of Duties in King's County,	50	0	0

N. B.—The other Collectors are allowed a commission on what they receive, vizt.: 7½ per cent. where the annual sum exceeds £300; 15 per cent. where the annual sum is less than £300.

For sweeping the public chimneys,	10	0	0
For interest on £16,200 Treasury notes and Loan warrants, at six pounds per cent. per annum,	972	0	0
	£2842	10	0

Interest on the demands remaining unpaid, £

The bounty on stone walls on the peninsula of Halifax.

To the Solicitor General for his services.

To the contingent expences of the General Assembly, including chaplains, messengers, allowance for wood, &c.

Wood for the Courthouse, for the Clerks of the Courts.

For the expence of printing for the Government. N. B.—The last year's expence was £68 6s. 6d.

For provisions for the Gaol. N. B.—The last year's expence was £32 10s. 6d.

For the Coroner's expense. N. B.—The last year's expense was £28 15s. 0d.

For occasional carriers and postage of public letters. N. B.—Last year's expence was about £12.

For repairing the public buildings and roads, &c. &c.

For unforeseen necessary contingencies.

(This list does not embrace salaries paid by Parliament.)

June 17. House prepared a scale of Civil List, much reduced from the above, and voted that the revenue ought to be farmed out.

June 26. Council sent down a Civil List estimate, different from that of the governor or that of the house.

June 28. Council send down another Estimate. £50 was voted to James Monk, solicitor general, for past services.

June 30. "A petition from John Callbeck was presented to the House and read, setting forth that he has attended and taken care of the Courthouse for three years—has bought mops, brooms, sand, &c.. sawed wood and *ringed the bell for all Courts*, but has not hitherto received any recompense for the same," &c. £15 voted him for past services.

£25 voted to Emanuel Wright, a miller, skilled in dressing and hanging millstones, and grinding and dressing flour, as surveyor of mills. Those who employ him to give him not over 6s. a day and his board, and 3d. a mile for travel.

July 1. £30 voted to John Duport, Esq'r., for past services. Estimate of repairs of Governor's house sent by Secretary, being £164.

July 2. The commander-in-chief, by a speech, informed both Houses of two recent acts of Parliament—one "for securing the just dependancy of the colo-" "nies on the mother country," the other "for the repeal of the act of the last" "session, granting certain stamp duties in America," and enlarging on the lenity and tenderness of parliament, &c.

(3.)

Halifax, Nova Scotia, May 6, 1766.

Sir. I beg leave to apply for your intercession with His Majesty, that I may obtain his gracious permission to return to England for twelve months, to gett some relief in my present bad state of health.

The cold winters of these Northern parts of America, in which I have been employed in H. M. service almost eleven years, have so much encreased the gout, which afflicts me, that after six months' confinement during these two last winters, my recovery has been in the utmost doubt, and were not the warm weather now approaching, I could not flatter myself with any hopes of it.

My friends and the physicians assure me that I cannot survive another winter in this country, and that I am to expect relief only from the Bath waters, of which, with regret, I am now convinced, and beg leave, sir, to assure you, nothing else could induce me to think of being absent from the service with which his majesty has been graciously pleased to honour me; and I hope that the continuance of twelve months, or less, in Europe, will put me in a condition of returning to it.

I am, sir, &c.,

M. WILMOT.

To the right honble. Henry Seymour Conway, &c. &c. &c., St. James's.

(4.)

Halifax, Nova Scotia, 5 August, 1766.

Sir. I had the honour of receiving, on the 6th day of July, your letter of the 31st March last, to the Governor or Commander-in-chief of this Province, together with copies of two Acts of Parliament, therein referred to. As the General Assembly were then sitting, I embraced the opportunity of communicating the contents to them, as the most expressive means of exciting their most dutiful sentiments of gratitude for his Majesty's and the British Parliament's unexampled grace and condescention so signally displayed in those acts and in their further parental attention to the trade and interests of the Colonies, which so pungently demand the continuance of their most chearfull obedience to the laws and legislative authority of Great Britain; and I have now the honor to transmit herewith

their most humble address to the throne on the occasion, with their very respectful request that you will be pleased to do them the honour of presenting it to his Majesty.

I am sir. &c.,

BENJAMIN GREEN.

The right honble. Henry Seymour Conway, &c. &c. &c., St. James's.

(5.)

ABSTRACT OF THE NUMBER OF INHABITANTS AND PRODUCE, &c., OF THE PROVINCE OF NOVA SCOTIA, THE 31ST DECEMBER, 1766.

Number of Families	Number of Persons.	Lands Granted.			Grain.	Cattle.			Roots.	Sea Vessels.
		Arable.	Mowing.	Pasture.	Wood.	Bushels.	Horses.	Horned.	Sheep.	Bushels.	Sq. rigged and others.
2575	9789	4911¼	9870	13,646¼	4559	67604	1131	10638	6672	45363	292

(None of the large grants of 1765 could have been included in this return.)

Fish.		Oil.	Boards.	Manufactories.			Mills.		
Quintals.	Bbls.	Bbls.	Feet.	Hemp.	Flax.	Saw.	Grist.	Hemp.	
21929	10013	238	1,132,184	154	31,053¼	20	24	1	

(6.)

About three weeks ago as lady Aylesbury, lady Campbell, miss Conway, and lord William Campbell, were fishing near Henley-upon-Thames, they heard the cry of a man from a distance, calling out boat! boat! several of which passed not far off, without taking the least notice; however, at last a man appeared at the point of an island, and called out that there was a man drowning. Upon which lord William Campbell and the ladies immediately set out, and came to the place, where they were shewn something like a man lying at the bottom of the water. His lordship stirred the body with the pole of his boat, which was twenty feet long; but as the pole had no hook to it, and his lordship finding it was losing too much time, he instantly pulled off his coat (his lady and sisters being in the boat) and jumped into the water, which was sixteen feet deep, and although the man was under the trunk of an old tree, he brought him up, and swam to shore with him. His lordship then ordered him to be blooded, and by his great care of him he soon began to draw breath, and being carried home, is since perfectly recovered. He was a servant to Lord Palmerston, who was then on a visit to a gentleman near that place. Lord William Campbell is a young gentleman, most deservedly esteemed, and [illegible] most gallant and humane sea officer. [*Annual Register for* 1765, p. 126. *August* 31*st*.]

CHAPTER XXXIV.

1767. In February, lord William Campbell applied to lord Shelburne, secretary of state, for leave of absence in the fall, to bring out his wife and family. Lady Campbell was a native of one of the Southern provinces, I believe South Carolina, and had a large fortune. Governor Campbell proposes to visit the interior settlements when the season permits. He represents the want of roads and dearness of labor from scarcity of hands. Nova Scotia has "more ports of safety for ships of any burthen than any other province of America, and almost at the entrance of those is blessed with those inexhaustible mines of fish, which furnish all Europe with that commodity, and ought to be the first nursery of seamen to supply, as occasion may require, the British navy." The colony he commands, he says, "can, I hope, bear the test of having always "shewn a most noble and submissive obedience." Refers to the coal mines of Cape Breton, as neglected since the reduction of the island in 1758. Suggests employing the soldiers in the mines, and application of proceeds to the roads of the province. The colliery would augment the revenue, and not interfere with England.

March 13. £20 was ordered in council to be paid to Wm. Fury, (an innholder in Halifax), for entertaining Indians. We may conclude these were chiefs, who came to town to receive the presents of the government. 20 March. It was ordered that the oaths of allegiance should be administered to the Acadians on the St. John's river, who had expressed a desire to take them.

Many grants in and near Maugerville, on the St. John river, were passed about this time, among the rest, 21 May, 3000 acres, opposite the township of Maugerville, were granted to Arthur Goold, esq., a reduced captain in H. M. marine forces. (Reduced then meant simply discharged, whether with or without pension or half pay.)

In order to raise money to improve and repair the road from Halifax to Windsor, 45 miles of distance, £200 had been raised by subscription, and the chief dependance for workmen was on the troops, who were hired for this purpose at 1s. a day, as the scant population could not do this work without neglect of their lands, the cultivation of which engrossed their time. Governor Campbell, in order to raise money to open and improve the roads communicating with the interior, granted to two or three principal merchants, viz., Benjamin Gerrish, James Amesbury, Peter Bard and William Lloyd, in Halifax, the liberty of taking coals from the cliffs in the island of Breton, (Cape Breton), until 31 Dec'r., with express prohibition against carrying away any from the mines whence the troops in garrison at Louisbourg were supplied. By this bargain the sum of £500 would be obtained for the road to the bay of Fundy.

In June, the attorney general, Nesbitt, stated to the government that Alexander McNutt had parcelled out lands to several persons, "pretending to have authority under the king's" "sign manual to settle all ungranted or unimproved lands in" "this province." On this, it was ordered that the attorney general should prosecute McNutt, and that a proclamation should issue, forbidding the unauthorized occupation of lands or cutting timber, under penalties. July 1. In council. A road from Lunenburg was ordered to be made.

Wednesday, 1 July, 1767. General assembly met. Mr. Francis White, returned as member for the township of Barrington, took the oaths and his seat. Governor Campbell opened the session with a speech, in which he informs them "that his majesty is well pleased with the dutiful and "grateful behavior of his colony of Nova Scotia, and that "they may always depend on his royal favor and protec-"tion." Attention is promised to the paper currency,—recom-

mends revision of revenue acts,—presses their "application to "agriculture, and especially to the culture of hemp and wheat, "which" he is "particularly instructed to recommend" them. July 2. The reply of the house was couched in terms of gratitude to the crown. They say "We shall ever esteem our-"selves happy, my lord, when we have opportunity to shew "the obedience we owe to the king, and our ready submission "to the laws of the British parliament." "The many power-"ful motives which engage us to this conduct will, we trust, "always render us superior to any seduction by the bad exam-"ple of those who may be misled by mistaken opinions. We "are free to own our dependance," &c. &c. July 8. The provincial debt is stated as £21,275. A discussion arose at this time between the council and the assembly, the assembly wishing to farm out the duties, and the council opposing the design. The examples of France and England were alleged by H. M. council as against the proposition of farming the revenues. 28 July. The governor sent down an estimate, to which the house agreed. August 1. The session was closed, and the governor prorogued the assembly until 31st October next.

Oct'r. 5. Eighteen families of Acadians, residing at cape Sable, having applied for lands for a settlement, it was advised that, on their taking the oath of allegiance, lands should be assigned them in the neighborhood of Barrington and Yarmouth. Gov'r. Campbell, 7 Sept'r., represents the debt of the province as amounting to £23,000, arising from deficiency of the revenues appropriated to encouragement of agriculture and fishery—erecting public buildings—making and repairing roads, and other public services. "The uncertain revenues," "which arise chiefly on the consumption of rum, and other" "articles of luxury, are the only support of the funds of this" "province; and indeed it would be ruinous to the farmers," "and very discouraging to the peopling of the country," to extend a taxation any further until circumstances are more improved; for it was not before the years 1759 and 1760, after the reduction of Louisbourg and Quebec, that people ventured to go into the country, and began the cultivation of it. The

apprehension of the removal of one of the two regiments now in the province, is of much concern to the people, as the specie introduced to pay the navy and army is the chief resource of the local business. In another letter of 17 Sept'r. he mentions that Mr. E. Crawley is returning to England, and resigns his seat in the council, and he recommends in his place Mr. John Creighton, who served as an officer in the army until the reduction of the troops in 1749, and since that time in this province as a magistrate and justice in the court of Common Pleas, with a fair character and reputation; and I further recommend him to your lordship as a person perfectly attached to his majesty's person and government, and very capable of advising in the council of this province.

On the 1st October, lord William Campbell, having obtained six months leave of absence, sailed from Halifax on board H. M. S. Glasgow, for New York, intending to take passage thence to England in one of the packets. 17 Oct'r. The assembly met, and, after passing three acts, the lieutenant governor, Francklin, prorogued it on 19 October until the 2 March next.

Many Acadians at this time returned from the island of St. Pierre, N. F., to Isle Madame, and thence were dispersed along the Eastern coast of the province. A proclamation was ordered to be published, requiring them to take the oath of allegiance. 13 Nov'r. On a memorial of Michael Bourg and René Terriaux, on behalf of themselves and 22 Acadians, lands were ordered to be assigned to them at Quoquagne, (Cocagne), and Jediack, (Shediac.)

On Friday, 1 Dec'r., lord William Campbell arrived at his house in Dean street, Soho.

2 Dec'r. A new seal was received for the province, exhibiting—the country of Nova Scotia,—a British merchant trading with an Indian for furs; also a fishing boat,—the king's arms, &c.

23 Dec'r. Many Acadians, residing in the county of Annapolis and in the township of Windsor, offered to take the oaths of allegiance, and prayed for lands to settle upon.

1768. 7 January. The lieutenant governor and council ordered a demand for £3394 10s. 1d., reported as due to sundry persons for cloathing, provisions, and entertainment for the Indians, to be transmitted to the board of trade. Halifax, 14 Jan'y. His excellency the hon. William Spry, esq., governor of Barbadoes, sailed on Saturday last, in H. M. S. Beaver, capt. Belew, for his government. 2 Feb'y. Benjamin Green, esquire, in consequence of ill health, resigned the office of provincial treasurer. 20 Feb'y. Lieutenant governor Francklin writes to the earl of Shelburne. He states that the arrival of the French Acadians from St. Pierre and Miquelon, disposed to become British subjects, had made an impression on the French Acadians who were before in this government, and on a proclamation being issued, they sent in deputations, desiring permission to take the oaths to the king, and requesting to have lands granted to them. The council advised 80 acres to be given to each head of a family, and 40 to each other person; request instructions to proceed, as the lands they can get are wood lands, and many of them are useful tenants on marsh lands; wishes 10 years delay on their quit rents, to give them time to obtain stock for their grants. A circular letter from the assembly of Massachusetts Bay, signed by Mr. Cushing, their speaker, dated 11 Feb'y., 1768, and addressed to the speaker of the assembly of Nova Scotia, was received by Mr. Nesbitt towards the end of March, and by him exhibited to lieutenant governor Francklin. Mr. Francklin sent it at once to lord Shelburne. [*See appendix.*] March 30. Augustin de la Touche, a prisoner, charged with having murdered Laurence Castelau, at the bay of Chaleur, who had escaped in October, 1767, from H. M. S. Mermaid, in Halifax harbor, was arrested in St. Margaret's Bay, and brought to Halifax 28th March, where he was sent to gaol, in order to be removed to Quebec for trial.—April 1, friday. In the evening there came on at Halifax, and continued all that night and the best part of the next day, a most violent storm from the South East, attended with snow and rain, which, as the tides were extremely high, 'has done considerable damage to most of the wharves 'in this town, and several stores adjoining them. The damages

'sustained by the inhabitants of this town are difficult for us to 'enumerate. The following are a few amongst many of which 'we have not yet learnt the particulars, viz.: three of the win- 'dows of St. Paul's church blown down, and entirely demolished; 'a breastwork belonging to the Navy yard partly destroyed, and 'other damage, it is said, to a considerable amount;' two houses in Gottingen, and one house in Irishtown, blown down and destroyed; several vessels and boats were sunk and drove ashore, and others drove from their anchors, besides many articles of considerable value washed from the different wharves. It was supposed the loss occasioned by this storm cannot be less than £2000. Halifax, April 14. 'Last week a caribou, a species of the wild deer, was killed in this harbor, near the town, as it was crossing in its flight from the woods, from whence it was supposed to have been pursued.' 21st. 'We hear advice is received that his excellency lord William Campbell, governor of this province, is now on his passage to this place, in H. M. S. Mermaid, capt. Smith.' In April, 22,000 acres, at Jedore, were granted to the earl of Egmont, and 100,000 reserved for him near Stewack river. In May, three prisoners, under sentence of death, and four others with them, escaped from gaol at Halifax. Instructions from the king were sent for granting land in the island of St. John. A judge was proposed, to have £200 a year, and other officials. The island was divided into three counties:—1. King's, containing 20 townships, 412,100 acres; county town, Georgetown, 4,000 acres, (Les trois rivières.) 2. Queen's, 23 townships, 486,600 acres; county town, Charlottetown, 7,300 acres, (Port la Joie.) 3. Prince county, 23 townships, 467,000 acres; county town, Princetown, 4,000 acres, (Malpec.) 520 acres reserved for fort Amherst, in Queen's county. Jonathan Binney was made second judge in the island of St. John. 21 May. Lieutenant governor Francklin writes to the earl of Hillsborough. He tells him: 'The chief surveyor,' (Mr. Samuel Holland), 'with' 'two assistant surveyors, and several other civil officers and' 'magistrates, this day sailed from hence to the island of St.' 'John.' Francklin says he had appointed Isaac Deschamps, esq., who had been for many years first justice of the court of

Common Pleas for King's county, to be the superintendant for the time being of the affairs of the island. The vessel which conveyed these officers had on board artificers and materials to build temporary lodgments for the officers of government at Charlottetown, the capital of the island. 28 May. He acknowledges an order from the secretary of state, forbidding any more coals being dug in Cape Breton, which has been obeyed. 12 June. He is preparing a state of the *manufactures* of the colony, to be transmitted in obedience to the address of the house of commons of 27 March, 1766. It is obvious from this as well as from a multitude of other facts, that a close jealousy existed with the manufacturers of England against any attempts in America to do anything in that line; and this narrow policy, influenced by a few avaricious capitalists engaged in manufactures, did more to lose the old provinces to England than any other circumstance. 11 July. Francklin encloses a state of manufactures in the province. 3d. a gallon is imposed on spirits imported from the other colonies. All spirits pay 1s. per gallon excise. Refers to tan pits and homespun. No manufactures encouraged, &c. He speaks of the necessity of establishing clergy of the English church, to prevent republican sentiments growing up, as the settlers are of various creeds.

The sixth session of the fourth general assembly of the province met at Halifax on the 18 June. Lieutenant governor Francklin opened the session with a speech. John Collier was president of council; William Nesbitt, speaker; Richard Bulkeley, secretary of council, and James Brenton, clerk of assembly. Charles Dickson, esquire, took his seat for Horton township. 21 June. Mr. Munro resigned his seat for Granville. Monday, 27 June. Mr. Benjamin Gerrish, having been appointed a member of council by mandamus, took formal leave of the house, and on the same day was sworn in and took his seat in council. Tuesday, 28 June. The house objected to £1054 16s. 1d. in the public accounts, "as not provided" "for by any funds or allowed by any vote or resolution of" "general assembly." There was included in this amount £16 5s. 0d. to a province gardener. The house sat on to the

9 July. The circular letter of the speaker of the Massachusetts house of representatives was not read or answered. Mr. Mauger, the agent in England, received a vote of thanks for his services. Mr. John Fillis took his seat for Halifax, and Mr. John Hicks for Granville. A poll tax was proposed and negatived. The receipts of the treasury in the year ending 30 June, 1768, were £3294 2 0

Paid out in the same period, 3247 16 1

Balance in treasury, £ 46 5 11

The province debt is stated at £22,086 3s. 0d. The house was prorogued on 9 July to 15 August next.

Disturbances happened at Boston, in June, of this year. The officers of customs were attacked—a vessel they had seized rescued, and their windows broken, &c. The assembly of Massachusetts meeting, governor Bernard, by orders from the secretary of state, endeavored to induce them to rescind the resolution of the last session, which authorized the 'cir-' 'cular letter' to the legislatures of the other colonies, and this failing, he dissolved them. On 1 August, an agreement not to import British goods after the close of the year 1768, was signed by the merchants, &c., of Boston. Much of this excitement was kept up by injudicious acts of parliament, laying duties on tea, glass, paper, &c., passed after the repeal of the stamp act, in exercise of the alleged right of parliament to tax the colonies.

In this year the rev. Mather Byles, a descendant of Mather, the author of the 'Magnalia,' united himself to the church of England—was ordained in England, and appointed missionary to Christ church, in Boston, N. E., where he arrived about 28 Sept'r., 1768. He subsequently left New England as a loyalist in the revolution, and settled in Halifax, N. S., where are many of his descendants. In September, general Gage, commanding the British forces in America, directed the 14th and 29th regiments to embark at Halifax, under lieut. colonel Dalrymple, and proceed to Boston, one regiment to be posted in castle William, and the other in the town. The chiefs of the Indians of the river St. John came to Halifax in solemn

embassy, in July, and after a *talk* with the lieutenant governor and council, went home again well satisfied. On the 18 July, present—the lieutenant governor, and messrs. Collier, Bulkeley, Gorham, and B. Gerrish, councillors,—and Pierre Thomas and Ambroise St. Aubon, (St. Aubin ?), chiefs from the St. John river. The chiefs requested that the priest, lately arrived, might remain with them; complained that rum was too common—that they wanted lands for cultivation. They were promised the priest should remain—that some remedy should be tried to banish spirits, and as to land, that they should have the island of Ekoupahag,—4 acres at St. Anne's, to include the burying ground and the site of the old masshouse (church) —four acres for a church, and 500 acres of wood land. The claim of a Mr. Anderson, to 6 leagues above and below Ekoupahag, of the lands on the river, were denied. They requested. in case of a war between the European courts, to be allowed to remain quiet, which was agreed to. They complained that the ornaments of their church were taken by Françoise Belleisle Robicheau, and carried to Canada by her, and that she refuses to give them up. They were told that a letter should be sent to the governor of Quebec, to recover them. They were told they were free to trade with those who would sell cheap in their fur business. They complained of Acadians on the river St. John, who hunted on their grounds, &c., and praying their removal, naming in particular two families then in their village, viz., Paul Barnaby and Paul Lawrence. Answer: 'they shall be removed.' They asked for tools and utensils of agriculture, and they were promised. Chiefs: 'We have' 'nothing further to ask or represent, and we desire to return' 'soon, that our people may not be debauched with liquor in' 'this town.' Answer: 'You shall not be detained.' Their expences were defrayed by government while here, and some presents made them. At this time orders were sent by general Gage to withdraw the soldiers from fort Cumberland, Annapolis Royal, fort Frederick, fort Amherst, in St. John's island, and Louisbourg, and to concentrate them all in Halifax. The white inhabitants are computed by Mr. Francklin at this time at less than 15,000, of whom 2,000 were Roman catholics, and

the Indians in the province at 500 fighting men. The Acadians seemed reconciled, having taken the oath of allegiance, and declared their readiness to defend the government against French, Indian, or other enemies.

The Indians, when they made peace, had received a promise of a priest being sent them, and lord Wm. Campbell, at their urgency, wrote to general Carlton, governor of Quebec, to procure one. Owing to this request, a young man named Baillie, a Canadian by birth, and of reputable family, was ordained for the purpose by the bishop. Baillie took the oath of allegiance, came to the river St. John, and thence got to Halifax in July, 1768, to receive instructions for the regulation of his conduct. Lieutenant governor Francklin put him under the care of the rev. Mr. Breynton, the rector of St. Paul's, Halifax, and they concurred in opinion that he was free from bigotry—of liberal education—loyal and docile. Maillard was allowed £100 a year. They gave Baillie £50, and intended to restrict his services to the well-affected Acadians and Indians.

Messrs. Morris, Deschamps, &c., arrived at port la Joie, in the island of St. John. They hutted on the spot soon after landing. Morris laid out the ground on which Charlottetown was to be built, on the Hillsborough river,—a level, dry and healthy spot, rising with a small ascent. Plenty of good water was to be had by sinking wells. The front of this site offered little depth of water. On 22 June, the courts of Common Pleas and General Sessions of the Peace were opened, and the justices of the peace were sworn. A small dwelling was putting up, as a shelter for the official gentlemen during the coming winter. Some of the streets were opened, and a few house lots taken up. Mr. Morris proceeded to lay out Georgetown and Princetown. He was allowed 10s. a day while on this service. Lieutenant governor Francklin, fearing scarcity, had caused six months' provisions for 50 men to be stored at Charlottetown. He considers the post of Tatamagouche necessary to be kept up. Couriers can come by that route to Halifax in four days, with ease. A few families arrived to settle there, and persons came from New York, New Jersey and Pennsylvania, to view the lands. Captain Moore, 59th

regiment, and the troops at Fort Amherst, assisted much, but they daily expected to be removed.

13 August. Norborne, lord Botetourt, was made governor of Virginia, in the room of general Amherst. (Amherst received the government of Virginia as part of his reward for the conquest of Canada, with the understanding that he should not be compelled to reside there. He was now required to reside, and on his refusal superseded by this appointment, which he and others deemed a grievance, although pecuniary indemnity was proposed.) At the same time Mr. Francklin was appointed lieutenant governor of the island of St. John, and Isaac Deschamps chief justice of the same. Mr. William Shirreff, who was so long a member of council and secretary at Annapolis Royal, died at Boston 5 May, this year. He held for several years previously the offices of commissary of the musters and judge advocate of Annapolis, but resided in Boston. At this time captain William Shirreff (or Sheriffe) was deputy quarter master general of the forces in America, and aide-de-camp to general Gage,—probably son of Mr. W. Shireffe. In council, 16 August. As the troops were to be withdrawn from Louisbourg, Mr. George Cottnam was appointed, as a person of courage and resolution, to keep the peace and to execute the laws in the island of cape Breton, and a salary of £100 was voted for him. Mr. Francklin sent to the secretary of state two acts passed here, for special approval,—one was a law to prevent the importing into Nova Scotia of impotent, lame and infirm persons. He represents that unfortunate beings of the kind are brought here from the other colonies, and that many of the followers of the army and navy become so incapable, and prove a heavy burthen on the town and government. He also tells the secretary of state in another despatch, 29 August, speaking of cape Breton, that all who have property intend to withdraw since the troops were removed, "as the greatest part of those on the island are a" "composition of the dregs of the English and French garri-" "sons, as also of Newfoundland and the continental parts of" "this province, from whom every irregularity and disorder" "may be apprehended." Mr. Cottnam, the first magistrate

there, was also about to remove; but to have some one to observe what passed in the island, and in the French islands of St. Pierre and Miquelon, to preserve the houses of Louisbourg, &c., a salary had been given him to induce his further residence. Francklin suggests to grant the houses there to settlers. Major Milward, 59th regiment, who lately commanded there, wishes a grant of 500 acres in the N. E. harbor of Louisbourg, where he had built and improved.

Lord William Campbell got back to Halifax from England on 10 September, in the Mermaid, frigate. At this time the troops destined for Boston sailed from Halifax, and governor Campbell regretted this measure, esteeming the troops to be 'the very life, soul and support' of the colony. Apprehends mischief from the Indians, who have been kept in order by the chain of outposts. The coal mines in cape Breton are now without a guard, and the magistrate at Louisbourg has no military to support him in enforcing the laws. 28 September. H. M. S. Launceston, 40, Mermaid, 28, Glasgow, 20, Beaver, 14, Senegal, 14, Bonetta, 10, and two armed schooners, with the 14th regt., lieut. colonel Dalrymple, and the 29th regt., lieut. colonel Carr, (in all 1000 men), arrived at Boston, from Halifax.

A cruel murder was committed at Liverpool, N. S. One Thomas Gordon was the victim. Messrs. Zouberbuhler, Nesbitt and Duport, were sent as judges, under a commission of *Oyer and Terminer.* The judges and prisoners were conveyed thither in a vessel hired by the government. Laughlin Galaughler and John Woodrow were convicted of murder, and James Woodrow of manslaughter. On 4 Sept'r. James Woodrow was burnt in the hand immediately, and the other two convicts were hanged on the 8 Sept'r. They confessed their guilt.

(Theophilus Chamberlain, A. B., advertises a private Latin school in Boston Chronicle, 5 Sept'r., 1768, He afterwards settled in Preston, N. S.)

The general assembly of Nova Scotia met on Saturday, 22 October. Lord William Campbell opened the session with a speech, in which he mentions that the king had granted a considerable sum of money, £500, this year, towards a con-

tinuation of roads throughout the province. Hinshelwood, Salter and Butler, were a committee to reply to this speech. Nesbitt was still speaker, and Mr. John Fillis was sworn in member for Halifax. 31 Oct'r. It was resolved to tax all lands granted in the province at the rate of one-eighth of a penny per acre, to commence from 1 Jan'y. 1769. 4 Nov'r. Lord William Campbell sailed for Boston in H. M. S. Romney, captain Corner, and Mr. Francklin convened both houses, informed them of the governor leaving, and desired them to proceed with business. Lord William Campbell got to Boston 7 Nov'r., and left it for Halifax Dec'r. 1, in H. M. S. Glasgow, where he arrived 4 Dec'r. Monday, Nov'r. 7. Mr. Mauger resigning his agency for the province, the thanks of the house were voted to him. 8 Nov'r. The house resolved to request Richard Cumberland, the king's agent, to act for them also. Nov'r. 12. Henry Newton, esq. collector of H. M. customs, explained, to the satisfaction of the house, the mode pursued by him with coasting vessels, whose goods were landed without fees. Dec'r. 13. The governor negatived the land tax act. Recesses took place from 26 Nov'r. to 12 Dec'r., and from 15 Dec'r. to 28 Jan'y. 1869.

Mr. Joseph Woodmass received H. M. commission as receiver general of quit rents, fines, escheats, and all other crown income, (except the duties of customs), for this province, dated 19 May, 1768. This he presented to the governor and council 28 October.

Lieutenant governor Francklin's conduct in sending several officers and entering into expences at the island of St. John, was censured by the authorities in England, who had only intended a survey of lots for settlers. He resolved to visit England, and the council, 26 Dec'r., gave their opinion that he might do so without express leave of absence from the king, as the governor was now here in command.

This year was memorable in North America in the progress of colonial affairs. The letters of Mr. Dickenson, signed a Farmer, illustrated the law and constitution on the subject of taxation as directly connected with representation, and gave form and shape to that opposition to the power claimed by

parliament to levy, raise and dispose of revenues drawn from the colonist. There can be no doubt that at this time an almost unanimous opinion prevailed in America that such acts of parliament were illegal and unconstitutional. Some of the governors and officials made light of this sentiment, and thought that military power exhibited in force would frown it down; but meanwhile the attempt to oppose the current of public feeling kept alive the embers of discontent. Hearts, once thoroughly loyal and submissive, became estranged and alienated; party spirit grew up, and the first seeds were sown of the revolutionary contest which began in action seven years later. Nova Scotia was, fortunately, but little excited or involved in the matter, altho' being so near the political volcano, she was more or less affected afterwards by its eruptions and upheavals. The most agreeable features in the annals of Acadie for 1768 are the loyal and pacific state of mind attained to by the Acadian French remaining in the province, and by the Indians. We may trace this favorable change to the absence, in the last six or seven years, of an agency of disturbance at Quebec. Owing to this change of dominion, the general justice and humanity of British rule, and the kindness evinced by the local government to the Indians, resulted in a genuine pacification and submission, so that the removal of the garrison — of so many outposts, and the transfer of two regiments to Boston, were not followed by any hostility or mischief in this country.

APPENDIX TO CHAPTER XXXIV.

(1.)

An additional instruction was issued 24 July, 1767, forbidding governors, upon any pretence whatever, giving their assent to any law by which the number of the assembly shall be enlarged or diminished,—the duration, if it ascertained the qualification of the electors or elected, fixed or altered, or by which any regulations shall be established with respect thereto, inconsistent with the Royal

instructions or prejudicial to the Governor's right or authority under his commission. This is addressed to

Lord William Campbell,	Governor of Nova Scotia.
John Wentworth, Esq'r.,	" " New Hampshire.
Sir Henry Moore,	" " New York.
William Franklin, Esq'r.,	" " New Jersey,
Sir Jeffery Amherst,	" " Virginia.
John Eliot,	" " West Florida.
Sir William Trelawney,	" " Jamaica.
William Woodley,	" " Leeward Islands.
William Spry,	" " Barbados.
George S. Bruere,	" " Bermuda.
William Shirley,	" " Bahama.
Robert Melville,	" " Granada.

(2.)

Halifax, Nova Scotia, 29 March, 1768.

My lord,—

Last night, Mr. Nesbitt, speaker of the house of assembly of this province, communicated to me a letter he had just received from the speaker of the house of representatives of the province of the Massachusetts Bay; and as the keeping up of a correspondence between the several colonies in their legislative capacities may in time prove of dangerous consequence, I conceived it proper to transmit to your lordship a copy of this letter. And at the same time I must pray leave to assure your lordship that no temptation, however great, will lead the inhabitants of this colony to shew the least inclination to oppose acts of the British parliament.

I have, &c.,

MICHAEL FRANCKLIN.

The Right Honble. the earl of Shelburne,
&c. &c. &c.

Province of the Massachusetts Bay,
11th February, 1768.

Sir,—

The house of representatives of this province have taken into their serious consideration the great difficulties that must accrue to themselves and their constituents by the operation of the several acts of parliament, imposing duties and taxes on the American colonies.

As it is a subject in which every colony is deeply interested, they have no reason to doubt but your assembly is duly impressed with its importance, and that such constitutional measures will be taken by them as are proper.

It seems to me necessary that all possible care should be taken that the representatives of the several assemblies, upon so delicate a point, should harmonize with each other. The House, therefore, hope that this letter will be candidly considered in no other light than as expressing a disposition freely to communicate their mind to a sister colony, upon a common concern, in the same manner

as they would be glad to receive the sentiments of your or any other house of assembly.

This house have humbly represented to the ministry their own sentiments, that his Majesty's High Court of Parliament is the supreme legislative power over the whole empire. That in all free States the constitution is fixed; and as the supreme legislative derives its power and authority from the constitution, it cannot overleap the bounds of it without destroying its own foundation. That the constitution is certain, and limits both sovereignty and allegiance, and therefore his majesty's American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rights of the British constitution. That it is an essential, unalterable right in nature, ingrafted into the British constitution, as a fundamental law, and ever held sacred and inviolate by the subjects within the realm, that what a man hath honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his own consent. That the American subjects may, therefore, exclusive of any consideration of charter rights, with a decent firmness adapted to the character of freemen and subjects, assert their natural and constitutional right.

It is, moreover, their humble opinion, which they express with the greatest deference to the wisdom of Parliament, that the acts made there, imposing duties on the people of this province, with the sole and express purpose of raising a revenue, are infringements of their natural constitutional rights, because, as they are not represented in the British parliament, his majesty's commons in Britain, by those acts, grant their property without their consent.

This house further are of opinion, that their constituents considering their local circumstances, cannot by any possibility be represented in the parliament, and that it will for ever be impracticable that they should be equally represented there, and consequently not at all, being separated by an ocean of a thousand leagues; and that his majesty's Royal predecessors, for this reason, were graciously pleased to form a subordinate legislation here, that their subjects might enjoy the unalienable right of a representation, and that, considering the utter impracticability of their ever being fully and equally represented in Parliament, and the great expense that must unavoidably attend even a partial representation there, this House think that a taxation of their constituents, even without their consent, grievous as it is, would be preferable to any representation that could be admitted for them there.

Upon these principles, and also considering that were the right in parliament ever so clear, yet, for obvious reasons, it would be beyond the rules of equity that their constituents should be taxed on the manufactures of Great Britain here in addition to the duties they pay for them in England, and other advantages arising to Great Britain from the acts of trade, this house have prepared a humble, dutiful and loyal petition to our most gracious Sovereign, and made such representations to his Majesty's ministers as they apprehend would tend to obtain redress.

They have also submitted it to consideration, whether any people can be said to enjoy any degree of freedom, if the Crown, in addition to its undoubted authority of constituting a Governor, should also appoint such a stipend as it shall judge proper, without the consent of the people and at their expense; and whether, while the judges of the land and other civil officers in the province hold not their commission during good behaviour, their having salaries appointed for them

by the crown, independant of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.

In addition to these measures, the House have wrote a letter to their agent, Mr. DeBerdt, the sentiments of which he is directed to lay before the ministry, wherein they take notice of the hardship of the act for preventing mutiny and desertion, which requires the governor and council to provide enumerated articles for the king's marching troops, and the people to pay the expense, and also of the commission of the gentlemen appointed commissioners of the customs to reside in America, which authorizes them to make as many appointments as they think fit, and to pay the appointees what sums they please, for whose malconduct they are not responsible, from whence it may happen that officers of the crown may be multiplied to such a degree as to become dangerous to the liberties of the people, by virtue of a commission, which does not appear to this house to derive any such advantages to trade as many have been led to expect.

These are the sentiments and proceedings of this House; and as they have too much reason to believe that the enemies of the colonies have represented them to his majesty's ministers and the parliament as factious, disloyal, and having a disposition to make themselves independant of the mother country, they have taken occasion, in the most humble terms, to assure his majesty and his ministers that, with regard to the people of this province, and as they doubt not of all the colonies, the charge is unjust.

The House is fully satisfied that your assembly is too generous and enlarged in sentiment to believe that this letter proceeds from an ambition of taking the lead or dictating to the other assemblies. They freely submit their opinion to the judgment of others, and shall take it kind in your House to point out to them anything further which may be thought necessary.

This House cannot conclude without expressing their confidence in the King, our common head and father, that the united and dutiful applications of his distressed American subjects will meet with his Royal and favorable acceptance.

In the name and by order of the House of Representatives,

I am, &c.,

THOMAS CUSHING,
Speaker.

The Speaker of the House of Assembly of the Province of Nova Scotia.

(3)

[*Taken from the Boston (in New England) Evening Post of August* 22, 1768.]

On Monday, the 15th instant, the anniversary of the ever memorable 14th of August was celebrated by the sons of liberty in this town, with extraordinary festivity. At the dawn, the British flag was displayed on the Tree of Liberty, and a discharge of fourteen cannon, ranged under the venerable elm, saluted the joyous day. At eleven o'clock a very large company of the principal gentlemen and respectable inhabitants of the town, met at the hall under the tree, while the streets were crowded with a concourse of people of all ranks, public notice having been given of the intended celebration. The music began at high noon, performed on various instruments, joined with voices; and concluding with the universal admired American song of liberty. The grandeur of its sentiment, and

the easy flow of its numbers, together with an exquisite harmony of sound, afforded sublime entertainment to a numerous audience, fraught with a noble ardour in the cause of freedom: the song was closed with a discharge of cannon and a shout of joy; at the same time the windows of the neighbouring houses were adorned with a brilliant appearance of the fair daughters of Liberty, who testified their approbation. The following toasts succeeded, viz.:

1. Our rightful sovereign George the Third. 2. The queen, prince of Wales, and the rest of the royal family. 3. The sons of liberty throughout the world. 4. The glorious administration of 1766. 5. A perpetual union of Great Britain and her colonies, upon the immutable principles of justice and equity. 6. May the sinister designs of oppressors, both in Great Britain and America, be for ever defeated. 7. May the common rights of mankind be established on the ruin of all their enemies. 8. Paschal Paoli and his brave Corsicans: May they never want the support of the friends of liberty. 9. The memorable 14th of August, 1765. 10. Magna Charta, and the Bill of rights. 11. A speedy repeal of unconstitutional acts of parliament, and a final removal of illegal oppressive officers. 12. The Farmer. 13. John Wilkes, Esq., and all independent members of the British parliament. 14. The glorious ninety-two, who defended the rights of America, uninfluenced by the mandates of a minister, and undaunted by the threats of a governor.

Which being finished, the French horns sounded; and after another discharge of the cannon, completing the number ninety-two, the gentlemen in their carriages repaired to the Greyhound tavern in Roxbury, where a *frugal* and *elegant* entertainment was provided. The music played during the repast; after which several pertinent toasts were given out, and the repeated discharge of cannon spoke the general assent.

Upon this happy occasion, the whole company, with the approbation of their brethren in Roxbury, consecrated a tree in the vicinity, under the shade of which, on some future anniversary, they may commemorate the day which shall liberate America from her present oppression! Then making an agreeable excursion round Jamaica pond, in which excursion they received the kind salutation of a friend to the cause by the discharge of cannon, at six o'clock they returned to town; and passing in slow and orderly procession through the principal streets, and round the state-house, they retired to their respective dwellings. It is allowed that this cavalcade surpassed all that has ever been seen in America. The joy of the day was manly, and an uninterrupted regularity presided thro' the whole.

(4)

Extract from lieutenant governor Francklin's letter to the earl of Hillsborough, 26 Sept'r., 1765, respecting the town of Louisbourg, as it remains since the troops of 59th regt. have been withdrawn:—

LOUISBOURG.

In the state of the buildings, 152 are enumerated—some public, the rest private. 16 are of stone, and the rest of wood. About 25 were inhabited. The houses were in various stages of disrepair, and some in ruins. Many had lost their floors, partitions and windows, which had been taken for fuel. The inhabitants named in the list were:

Edward Kelly, a discharged soldier.
Mr. Cottnam, first magistrate of the Island.
Mrs. Burton, a soldier's widow.
Charles Martill, a discharged soldier.
Mr. Deber, do. do.
Mr. Trinnan, trader.
John Newman, blacksmith.
William Russell, esq., late barrack master.
Roger English, discharged serjeant major 45th regt.
Edward Hare, a taylor.
Lydia Thorpe.
Silvanus Howell, mariner.
F. A. Strasbourger, esq., late town adjutant.
Some French families occupying two houses.
William Phipps, esq., trader.
Matthew Roe, trader.
Mr. Kavanagh, merchant.
Mons'r. Dion, a French pilot.
Mr. Keho, fisherman.
Mr. Wheeler, trader.
Mr. Townsend, late deputy paster, (paymaster?)
Mr. Mertho, discharged serjeant.

(5.)

London, May 6, 1768. We hear that a number of colonel Fraser's late battalion of Highlanders, both officers and private men, are preparing to embark for the island of St. John's, which lies in the gulf of St. Lawrence, betwixt Nova Scotia and Cape Breton. They have lands granted them by the Government in that island, and will, it is hoped, make a very useful settlement to this nation in case of any further rupture with France.

CHAPTER XXXV.

1769. In this year, 1769, I have not found the record of any very important or remarkable event in our provincial history. Nevertheless there are many occurrences of interest, which I shall try to compress in as small a space as possible.

In January, governor Campbell had daily visits from the Indians, demanding provisions. He attributed their urgent tone to the absence of troops, but as this was an unusually severe winter, the weather may have caused their importunity. Major Gorham, who was deputy to Sir William Johnson, the agent for Indian affairs, was absent, and the governor asks lord Hillsborough for funds to make presents to the Indians, and assist them, in order to keep them quiet. Lady Campbell, the governor's wife, arrived at Charlestown, South Carolina, frcm London, 23 January.

Jonathan Sewall, esq., was appointed judge of admiralty of Nova Scotia. It is stated that the judges of admiralty were to have £600 *per annum*, and that Mr. Sewall was to reside at Halifax, but I do not find that he ever came here. Friday, 27 Jan'y. Lieutenant governor Francklin sailed from Halifax for England. Admiral Palliser was governor of Newfoundland this year. It is stated, 21 Feb'y., that, by the extremity of the cold for some time past, the harbor of Halifax was so full of ice that it was impracticable for vessels to come in or to go out, an instance of which had not been known for ten years past. On the 16 Feb'y., Fahrenheit's thermometer at 8, A. M., was 7° below 0, and at 11, P. M., it stood at zero. In March, the snow lay 4 or 5 feet deep in the woods.

The assembly met 23 January, and, after some routine business, was prorogued to monday, 27 March.

14 April. The hon. John Collier, registrar of deeds and member of council, died. Arthur Goold, esquire, captain of marines, who had commanded the marines of H. M. S. Romney ever sihce the peace, and had been private secretary to governors Wilmot and Campbell, was nominated registrar of deeds and member of council. Lord William Campbell excuses his leaving his government in November, for which he had been blamed in England.

Leonard Lockman, who had an allowance of £91 5s. 0d. per annum, died at Halifax, tuesday, 2 May, 1769, in the 73rd year of his age, leaving a widow in poor circumstances. He was interred in the old German church. (I have somewhere read that he was Latin master of king George the 3rd, in the king's boyhood.) Capt. Joseph Rouse died the same day.

1 April. Lord William Campbell hired a schooner at £30 a month, and sent Mr. Woodmass in it to St. Pierre and Miquelon. Woodmass returned in the schooner to Halifax, 4 July, and reported that the French had not erected any fortifications on either of these isles, nor had they introduced more troops there than the number stipulated for by the treaty of Paris. M. d'Angeac, governor at St. Pierre's, said he had expected such a visit this year. Some Acadians there wished to come back to Nova Scotia. Governor Campbell augurs favorably of the loyalty of the Acadians and Indians. Reports that Mr. Baillie has met with success. The expence of this schooner was £100 sterling. The recompense of Mr. Woodmass he leaves entirely to lord Hillsborough's goodness.

Halifax, June 6. ——— Quine, and Flora, a negro woman, were lately tried, convicted, and sentenced to receive 25 lashes at the public whipping post, for stealing sundry articles from John Cunningham, esq., and on Saturday last they received their punishment accordingly. On sunday last, June 4, being his majesty's birth day, who enters into the 30th year of his age, the same was distinguished here as usual. At 1 o'clock the guns from H. M. ships anchored in this harbor were fired, which were answered by three vollies from the 59th regt., who

were drawn up on the parade, and made a very fine appearance. Halifax, June 27. Thursday last arrived a schooner, in 6 days from Boston, in whom came a party of soldiers belonging to the 64th and 65th regiments. On saturday and on sunday last sailed H. M. ships Romney and Senegal, for Boston, to take on board the 65th regt. stationed there, and we hear the above ships are to proceed with said regiments for this place, which is to remain in garrison here. On sunday evening arrived in a sloop, in 4 days from Boston, a company of the Royal regiment of artillery. The rest of the 64th arrived in July and August.

Major Robert Rogers, governor of Michilimackinac, an English officer, who had exhibited great talent and ability in Pontiac's war, and on other occasions, was, in 1768, accused of a treasonable design of betraying his command, by murdering his officers, and giving up the fort of Detroit to the French. He had been arrested, put in irons, and brought down prisoner to Montreal. The court martial acquitted him of all the charges; but in confirming their sentence and releasing him from confinement, the following was added in general orders: New York, 8 May, 1769. 'At the same time it appears to his' 'majesty that there was great reason to suspect that the said' 'major Robert Rogers entertained an improper and danger-' 'ous correspondence, which suspicion, the account afterwards' 'given of his meditating an escape, tended to confirm.' Sunday, 6 August. Lady Campbell arrived in H. M. S. Foye, from South Carolina, in 17 days voyage. There were now in Halifax harbor the king's ships Romney, Launcester, Foy, Viper, Martin, Dealcastle, Mermaid and Bonnetta. Saturday, 12th August. The Prince of Wales, afterwards Geo. 4, entered his 47th year. It was observed as a holiday at Halifax, with a Royal salute from the batteries, and three vollies from a detachment of soldiers drawn up on the parade. 18 August, sunday. Governor Wentworth, of New Hampshire, afterwards Sir John Wentworth, governor of Nova Scotia, arrived at Halifax in H. M. sloop Beaver. In October, governor Campbell went to Windsor for about ten days, accompanied by his lady, and a party of gentlemen of the army.

In 1767 the island of St. John was granted in large tracts to a limited number of proprietors. Quit rents and terms of settlement were prescribed. In 1768 the majority of the proprietors petitioned the king to erect the island into a separate government. In 1769, Walter Patterson, esquire, was made governor, and went from England thither with several officers of the civil establishment.

The assembly met tuesday, 10 October, (being the 8th and last session of the 4th general assembly,) Governor Campbell opened the session. Henry Denny Denson, esq'r., was sworn in as member for Newport. Belcher was president of council, Nesbitt speaker, Bulkeley secretary of council, and Deschamps clerk of assembly. The province appeared to be in debt £22,820 6s. 6d., chiefly on outstanding notes and warrants bearing interest. Five seats in the house were vacant.—Thursday, 9 Nov'r., The house was prorogued to 2 April. (Mrs. Bath was keeper of the assembly house, the same building known as the Halifax grammar school, and she kept there a school for young children when the assembly was not in session. Mr. Woodmass had succeeded Joseph Rous as keeper of the light house. G. H. Monk was deputy collector of customs at Windsor.) Good Spanish river (Sydney) coals were at this time usually advertised for sale at 30s. per chaldron.—Sunday, 12 Nov'r. A great storm at Halifax, and several wharves injured; two men drowned.

1770. The earl of Egmont had obtained a grant of 100,000 acres on the river Shubenacadie; and 5 Jan'y., 1770, three vacant lots in front of his former grant were allowed him on the memorial of his agent, Mr. Woodmass. Otho Hamilton, who had been a lieutenant and provincial secretary at Annapolis Royal in 1727—a member of H. M. council in 1732, and major of the 40th regt. 10 Nov'r., 1761, died 17 Feb'y., 1770, being the lieutenant governor of Placentia, N. F. The rev'd. Mr. Moreau also died early in this year.

The discords in America were kept up in 1769, and grew worse this year, 1770. Committees were appointed in Virginia to enforce the agreements against the importation of British

goods. In Rhode Island, active resistance to the government was carried on. In New York, in January, all was confusion. The soldiers cut down or blew up "Liberty pole," and collision between them and the populace resulted in bloodshed. Meetings occurred at Boston, to enforce non-importation, and domiciliary visits were made to enforce the non-intercourse resolutions. Hutchinson sent a written address to the meeting at Faneuil hall, by the sheriff, to which they replied at length, among other things charging the soldiers with being out at night with arms, and attempting the lives of the citizens. This was in January, and on the 5th March riots took place between the people and the soldiers of the 29th regt. Captain Preston, with a party in arms from the main guard, fired on the inhabitants in King street, near the custom-house. Three men were killed and 7 wounded—one mortally. Great excitement followed. The trial of Preston and his soldiers was judiciously postponed, and late in October, when the angry passions had somewhat cooled down, the accused were defended by John Adams, one of the strongest opponents of the government, and afterwards president of the United States. Mr. Blowers, afterwards a loyalist, and long chief justice of Nova Scotia, then a young barrister, is said to have assisted in the defence. Captain Preston and his men were acquitted, and he was then sent to Halifax. After the riot, the troops were removed from Boston, and castle William garrisoned by militia until September, when it was again in charge of the troops. It was as much from principle as from prudence that the leaders of the impending revolution protected the soldiers from the revenge of the incensed Bostonians. In Charlestown, South Carolina, they also had a "liberty tree," where the people met and resolved against importing English goods, and censured Rhode Island and Georgia for breach of compact. It is worth remark that the three most remarkable names of the American revolution seem connected with Nova Scotia! At Annapolis, we find John Adams and lieut. Washington; and at Halifax, governor Francklin. As old Mr. Adams retired to Boston, it is not improbable that John Adams, and his son J. Q. Adams, were of the same family; and George Washing-

ton's father, being an English officer, may have been the lieut. W. In April, the king's disapprobation was signified of an act "to prevent the importing impotent, lame and" "infirm persons into the province."

In council 2 April. On taking into consideration the time of the continuance of the present general assembly, which was begun in May, 1765, 'and that the disposition of the majority,' 'of the members is much averse to any expedient measures' 'for supplying the deficiencies of the provincial funds and the' 'necessary support of government,' it was resolved that the general assembly be dissolved. Writs were ordered to issue for a new house, to meet at Halifax on wednesday, 6 June next. No writs to issue to the county of Breton, for want of freeholders. It is to be deemed part of Halifax county. — George Smith, merchant, got permission to occupy Sheet harbor and St. Mary's river, for 7 years, for salmon fishery.

Some townships in Nova Scotia had called town meetings, to debate and resolve on several questions relating to the laws and government of the province. The governor and council (14 April) ordered the attorney general to notify all persons concerned that such meetings were contrary to law, and if persisted in, that he should prosecute them.

Many persons unauthorized having taken several hundred chaldrons of coal from the mines at Cow bay, troops were ordered to be stationed there to prevent it.

Mr. Duport, the second assistant judge of the supreme court, having been appointed chief justice of St. John's island, Mr. Isaac Deschamps was selected to fill his place. William Owen, Plato Denny and William Isherwood were made justices of peace for the county of Sunbury in the river St. John.

The journals of the assembly for 1770, 1771, 1772, 1773 and 1774 are not forthcoming, and the few particulars we have are gathered from an index to the journals, and from casual remarks in letters, &c. The fifth general assembly of the province met at Halifax, in its first session, on 6 June, 1770. They passed 17 acts, one of which was to raise £1000 by a lottery for the use of roads and bridges. Governor Campbell, 13 June, tells lord Hillsborough that he does "not discover"

"in them any of that licentious principle with which the" "neighboring colonies are so highly infected." They chose the rev. Mr. Breynton their chaplain. Mr. John Butler was returned member for Halifax county, and Mr. Robert Campbell for the same; John Creighton, member for Lunenburg; Job Huston and Joshua Winslow for county of Cumberland; Jonathan Eddy, (afterwards the head of a party of rebels in Cumberland), for the town of Cumberland; Henry Denny Denson, for King's county; Phineas Lovett and Jos. Patten, for county of Annapolis; Ob. Wheelock, for town of Annapolis; Isaac Deschamps, for Newport; Charles Dickson, for Horton; John Doggett, for Liverpool; William Fisher, member for Truro; R. Foster, member for Sackville; John Harris, returned member for Granville; A. Hinshelwood, returned for county Lunenburg; W. Tonge and H. D. Denson, for King's county; Philip Knaut, for town of Lunenburg; Joshua Lamb, for Onslow; Charles Morris, junr., takes his seat for Sunbury; John Morrison, member for Londonderry; Simeon Perkins, returned for Queen's county; Charles Procter, returned for town of Halifax; Wm. Smith, returned for Queen's county; Samuel Willoughby, for Cornwallis. John Kent was chosen messenger. A tax on sheep was proposed and negatived. The session lasted from 6 June to 2 July, when governor Campbell prorogued it. (The names of members are taken from an index to the missing journal.)

In council, 17 July. The governor proposed the appropriation of the reserved lands at Cumberland, for the endowment of a public seminary of learning, hereafter to be established at Windsor, to which the council agreed, and resolved that Mr. Winslow and Mr. Huston be requested to take care of those lands until further directions. Two of the grants to McNutt and his associates were annulled this year in the court of escheat, on jury trials—one of 100,000 acres, the other 150,000 acres—for non-performance of the conditions of the grants. Applications were made for grants of considerable tracts of land and of rivers for fishery in the bay of Chaleurs. It was proposed to people these lands from the Orkneys, with 150

families, to come out in 1771. Lord William Campbell referred the application to lord Hillsborough.

Mr. Bailly wished to establish a settlement of Indians near Halifax. His loyalty is praised by lord William Campbell.

APPENDIX TO CHAPTER XXXV.

(1.)

[*Nova Scotia Chronicle for* 1769, A. Henry, *printer*.]

Halifax, Tuesday, Jan'y. 10, 1769.

"To the printer of the Nova Scotia Chronicle.

Sir. The following particulars are the most material of a tedious and fatiguing march of messrs. Bard and Armith, from Bonaventure to Halifax, who were lost in the woods for the space of 28 days or thereabouts, and suffered to a degree almost beyond expression, which account is extracted from Mr. Bard's journal, and I dare say you will oblige the public by giving it a place in your Chronicle.

Yours, &c, M. S.

On the 15th of October they left Bonaventure in a shallop—went into a place called Pabeau, to settle some business—then crossed the bay of Chaleurs, and arrived at Carrequit the 19th of the same month, where they found a whale boat bound to Meremichi, in which they sailed from Carrequit the 20th, and arrived at Meremichi tho 26th. The 27th and 28th they remained at Meremichi, and bargained with an Indian to pilot them to the Bay of Verte; accordingly they left Meremichi the 29th, and encamped that night opposite Sheldrake island, about four leagues distant from the last mentioned place. The 30th, passed by point Escomenauch. The 31st, got on board at daybreak, and arrived at Bucktoosh; here, in getting out of the canoe, a sea struck her on the broadside, by which means she overset; by this accident their whole baggage and bread, &c., was damaged. Nov'r. 1st, arrived at Embucto. Nov'r. 2, passed by Cocquian. Nov'r. 3, arrived at the river Shedeak—worked the canoe about three leagues up the river, in search of a road, when the Indian pilot informed he would in two days march bring within a few miles of Cumberland, where there were some inhabitants, but found the passage in the river obstructed by trees, &c. that had fallen across it, whereby it was impossible to proceed; upon which they landed, and sent out their Indian pilot in search of a road, who returned in a short time, and informed them that he had found out one, but that it was so overgrown with brush, &c., that it would be very difficult, not only to travel in, but to keep it. The 6th, they set out at daybreak, and marched the whole day through swamps and wilderness, there not being any appearance of a road; ended that day's march at sunset—supposed they had travelled about ten miles. The 7th, proceeded on their march; no appearance or prospect of a road. This morning they

lost what bread they had remaining, by accident, and reduced thereby to an entire dependance on what game they could kill for their support, having one musquet with them, and only about one pound of shot. The 8th, continued their march—halted about 3 o'clock; sent their Indian out a hunting, who returned at night with a beaver. From the 19th to the 20th continued marching thro' the woods, without meeting with any houses or inhabitants of any kind whatsoever, or the least prospect of it; their ammunition now expended, except a few charges—their strength and spirits almost exhausted, and made every effort in vain to find out a road. At length persuaded the Indian to leave his pack with them, and go the next day by himself in search of some kind of inhabitants, which he did upon the last mentioned day; and returned the 20th, at night, and brought with him a porcupine, but had made no discovery of any road or inhabitants. The next day, being the 21st, he, the Indian, set out again in the said pursuit, and promised to return in two days' time, whether he succeeded or not. The 22nd, the Indian being gone, as above, they examined their stock of provisions, the whole of which they found to be but the carcase of a porcupine, two partridges, and one pint and a half of beans. From the 23rd to the 29th they were obliged often to shift their place of encampment, on account of the heavy rains; and now, their Indian not returning, and having no prospect of being relieved from so disagreeable a situation, they agreed to shorten their daily allowance of provision to twenty beans and one rib of the porcupine per day between them; which they accordingly did, and continued it to the 2nd of December. The 3rd of December, as they were at work making some snares for catching rabbits, they imagined that they heard some humah voices, and upon listening with more attention, they were more fully convinced of the truth of it, and immediately they hallooed, but could receive no answer, upon which Mr. Armith went into the woods, towards the place from which they had conceived the voices came, as far as he could hear Mr. Bard's voice, which was to conduct his return; by that means he discovered the people they had before supposed to have heard talking, and who proved to be eight men, inhabitants of the township of Sackville, conducted by the Indians, who had left them as above mentioned, in search of inhabitants. They informed messrs. Bard and Armith that this was their second attempt to find them out; the first was made by four men, accompanied by the Indian—out four days, and returned unsuccessful. They, to wit, the inhabitants of Sackville, not being satisfied while two men were perishing in the wilderness, resolved to make this second attempt, in which they had been out six days; and it was by mere chance that these two sufferers were discovered at this time, for the above mentioned eight men, with the Indian, at the time of the discovery, were going a course leading from them, whose voices were luckily heard by said Bard and Armith, occasioned by their more than ordinary loud speaking, in consequence of a dispute that had arisen among themselves, whether they should or should not continue their search any longer, as they were at that time much fatigued. Dec'r. 4. Remained at their camp, and refreshed themselves with partridge broth and boiled rice, which these people brought them. The next morning they set out and marched ten miles, and encamped at night; and the next day, being the 6th, they arrived at Tantaramara village, six miles from Cumberland, where they remained until the 8th, on which day they proceeded to Cumberland. The 14th, after a tedious march, they arrived at Partridge Island, where a sloop, with some passengers, arrived the same night, in which they took passage, and in ten days after got across Minas

Bason, and, notwithstanding many obstructions, by reason of ice, they arrived safe at Horton the 19th of December. On the 25th, after suffering the utmost hardship and fatigue, by travel—wet, cold, hunger, and every distress incident to such a deplorable situation, for two months—they arrived safe at Halifax."

(2.)

Halifax, May 30.

Saturday last arrived the ship Amity's Admonition, capt. Landifield, in 6 weeks from London, in whom came passenger Mr. John Slayter, merchant. In the evening arrived from Boston, the detachment of the 59th regiment, commanded by capt. Wilson. 7 vessels entered, two outward, in this week.

In the N. S. Chronicle for 19 Sept'r.. 1769, John Willis advertises that he had lately opened "the house commonly known as the Great Pontac" entertainment —chop house, bakery, slaughter house, and a large and commodious "Assembly" "room, which was made use of several seasons."

In same paper there is advertised—

Night school—reading, writing, mathematics, book-keeping, French and dancing, by Lewis Beloud.

(3.)

1769. LORDS COMMISSIONERS OF TRADE AND PLANTATIONS.

Earl of Hillsborough, £1500.

Soame Jenyns, Edw. Eliot, Geo. Rice, John Roberts, William Fitzherbert, Jer. Dyson, Hon. Thos. Robinson, £1000 each.

John Pownal, esq., secretary, £300.

Deputy secretary, Silas Bradbury, esq., £500.

Solicitor and clerk of the reports, £200.

Secretary of state for America, &c., The Right hon. Earl of Hillsborough.

(4.)

NAVY YARD, HALIFAX, NOVA SCOTIA, 1769.

Storekeeper and naval officer, Joseph Gerrish, £200.

Clerks to do., Jac. Hurd, £80; John Nial, £50.

New Hampshire—Governor, Jn. Wentworth, esq., L. L. D.

New Jersey—Governor, Wm. Franklin, esq.

New York—Governor, Sir Hen. Moore, Bart.; Lieut. Governor, Cadwallader Colden.

Nova Scotia—Governor, Right Hon. Lord Wm. Campbell; Lieut. Governor, Mich. Francklin, esq.; Chief Justice, Jonathan Belcher, esq.; Secretary, William Sheriff, esq.; Judge of Admiralty, Jonathan Sewall, esq.; Agent, Rich'd. Cumberland, esq.

Quebec—Governor, Col. Guy Carleton.

ANNAPOLIS, 1769.

Ordnance Storekeeper—Thos. Williams, 6s. per diem.

Major General Henry Bastide, Director and Lieut. Col. of Ordnance, £365 a year, 1769.

American Commander-in-Chief, Major General Gage.

40th Regiment—Colonel, Lieut. General Robert Armiger; Lieut. Colonel, James Grant; Major, William Shirreff, Q. D. M. G., America, 1768; Joseph Gorham, Major, Am. Rangers, 1760; William Shirley, Lieut. General, Jan'y. 30, 1759; Sir Jeffery Amherst, 3 F. & 60 F., Lieut. General, 19 Jan'y., 1761; Sir Thos. Salusbury, Judge H. C. of Admiralty.

(5.)

In council, 10 October, 1769:—

Resolved, That Thomas Williams be appointed one of the Justices of the Inferior Court for the county of Annapolis, in the room of Jonathan Hoar.

(6.)

Died, 4 Dec'r., 1769, Mrs. Margaret Newton, consort of John Newton, esqr., Surveyor of H. M. Customs.

Married, sunday evening, 10 Dec'r., 1769, William Allen, esq., of Cumberland, to Mrs. Jane Slayter, of this town.

(7.)

Married, at New York, Oct'r. 13, 1770, Sir Wm. Draper, knight of the Bath, to Miss Susanna De Lancey, daughter of the Right Hon. Oliver De Lancey, Esq.

(8.)

Lieutenant Governor, (Newfoundland) J. Gorham, £182 10s. od.

Jos. Fred. Wallet Desbarres, Lieut. 60th Regt. Foot, 22 Feb., 1765. *Army List*, 1770.

Hon. Thos. Gage, Col. 22d Foot, 29 March, 1762; M. Gen'l. 5 Mar. 1761.

Erasmus John Philipps, Lieut. in 55th Foot.

John Creighton, Lieut., reduced in 1748. Baterau's.

(9.)

[*From Military Register for* 1770.]

William Shirley, Colonel, 31 Aug't., 1745: Major Gen'l. 26 Feb. 1755; Lieut. Gen'l. 30 Jan'y. 1749.

George, Earl of Halifax, Colonel 4 Oct. 1745; Major Gen. 6 March, 1755; Lieut. Gen. 7 Feb. 1759.

Hon. Edward Cornwallis, Colonel 23 March, 1748–9; Colonel 24th Foot 8 Feb. 1752; Major Gen. 12 Feb'y, 1757; Lieut. Gen. 22 Feb. 1760.

William Whitmore, Colonel 29 Jan. 1750–1; Major Gen. 23 Jan. 1758; Col. 9th Foot 23 Oct. 1758; Lieut. Gen. 15 Dec. 1760.

Sir Jeffery Amherst, K. B., Colonel 22 May, 1756; Major Gen. 25 June, 1759; Lieut. Gen. 19 Jan. 1761. Colonel 3rd Foot 7 Nov. 1768; 60th, 7 Nov. 1768.

John Parr, Lieut. Colonel 20th Foot 16 Feb. 1770.

Hon. Robert Monckton, Colonel 20 Dec. 1759; Colonel 17th Foot 24 Oct., 1759; Major Gen. 20 Feb. 1761.

John Henry Bastide, Colonel 4 Jan. 1758; Major Gen. 20 Feb. 1761. Director and Lieut. Col. of Engineers 14 May, 1767.

Joseph Goreham, Major, 2 August, 1760.

Horatio Gates, Major, 24 April, 1762.

Francis Legge, Major 46th Foot, 28 April, 1767.

William Sheriffe, Major, 25 July, 1768; D. Q. M. G. 1770.

De Compte, Pere Marquis, Goreham's Rangers, Lieut. on half pay in 1770—reduced in 1763. (Pierre Marquis de Conti, & Gravina.)

Robert Stobo, 15th Regt., Captain 5 June, 1760.

CHAPTER XXXVI.

1771. In a list of names on a division in the house of commons, we find 'Joshua Mauger' in the opposition. [*London magazine*, 1771, *p.* 177.] 17 May. Thomas Williams, esquire, was made a justice of the peace for Annapolis county, and 500 acres East side of Bear river granted to him. In September, Joseph Gray was made J. P. for county of Halifax. Lord William Campbell writes to the earl of Hillsborough, 8 April, on the defences of the harbor, in the especial view to protection of the dockyard, having also received a 'secret and con-' 'fidential' letter, signifying an augmentation to be made to the land forces. 11 April, he says general Gage has 'allotted to each regiment here a separate district on the' 'continent to recruit in, as very little could be done to for-' 'ward that service in this province.' He repeats his request to have the expences of escheats paid out of the quit rents, or some other fund. (On taking out a grant of land, it was the practice that the grantee should pay the fees, survey charges, and also a certain sum in advance on quit rents.) Same to the same: Halifax, 13 April, 1771. Asks for leave to go to England, or to the American continent, in consequence of "the indifferent state of my health, and particularly the" "weakness of my eyes, owing to long service in hot climates," "and a wound formerly received in my left eye by an iron" "spike." Speaks of "the effect which the continuance so" "long in this cold climate has brought on me." Same to the same: Halifax, 18 April, 1771. "By the Boston frigate, capt. Hyde Parker, orders came this day to lieut. col. Bruce,

of H. M. 65th regt., commanding the troops here, to immediately embark that corps and the 64th, for Boston." No intimation had been given of this to lord William Campbell by general Gage, or any other officer, at which he expressed his surprize, and if his lordship think fit, to take the king's pleasure on it.

The assembly met at Halifax 6 June, 1771, (being the 5th general assembly, second session.) The king's approbation of a bill, passed in the session of 1770, to raise £1000 for roads and bridges by lottery, was received. Richard Gibbons took his seat as member for Barrington. (At this time persons were brought to the gaol in Halifax from a great distance, there being no gaols in the other counties.) Simeon Perkins took his seat for Queen's county, and Edward York for Falmouth. —The house addressed the governor, requesting that instead of one provost marshal for the whole province, a sheriff for each county should be appointed, but the governor declined their proposal. This assembly passed 22 acts, one already noticed, as to the mode of publishing the laws,—another giving power to justices of peace to try small debt causes, &c. This session ended 6 July, and, as the governor states, there were 'no extraordinary occurrences.' The lands lying between the townships of Yarmouth and Barrington were, 6 July, erected into a township, to be called Argyle. In the same month, one Samuel Withred complained to the government that Joshua Winslow, esq., J. P. in the county of Cumberland, had caused his cart to be seized and sold at auction. Withred had lent his cart on a sunday to assist a man in carrying his things to a vessel in which he was about to go to sea. The council refused to interfere.

Mr. Foye, the provost marshal, died, and the governor appointed Mr. Charles Procter in his place, whom he describes as 'a person of great worth and integrity, and a resident in 'this province for more than 20 years.' In the absence of major Gorham, who was Sir William Johnson's deputy for Indian affairs, the governor appointed Mr. John Cunningham. The minister had sent leave to governor Campbell to go to any of the colonies for his health, but the governor asks now

for leave to visit England, which he would only use in case of necessity and medical advice.

Charles Newland Godfrey Jadis, who had been a captain-lieutenant in the 52d regiment, came to Nova Scotia in August, 1769, with his wife and a large family, to settle on some lands on the river St. John, which he had purchased before he had left Europe, with a view of carrying on a trade with the Indians. For this purpose he had provided a proper assortment of goods. He built a house at a place called Grimross, and carried on business there with success. On the 6 February, 1771, his house, store, and all his effects, were consumed by fire. He estimated his loss at £2000, and strongly suspected the Indians of having set it on fire, as they had frequently threatened it. The council, 2 Sept'r., ordered the magistrates on St. John's river to make enquiry and report on his memorial, and the governor sent a letter dated 9 Oct'r., 1771, to lord Hillsborough, by Jadis, who went to England, detailing the affair. Governor Campbell says: 'Since fort Frederick,' 'situated at the entrance of St. John's river, has been dis-' 'mantled—the garrison, which consisted of an officer's com-' 'mand, reduced to that of a corporal and four, he has had' 'frequent complaints of the Indians of that river.' He suggests a strong block-house, properly garrisoned, to protect 'a very increasing settlement on the banks of the river St.' 'John, abounding with a most excellent soil, which produces' 'the most valuable timber of all sorts in this province.'

The light house at Sambro was this year complained of as inefficient, and lord Hillsborough informed the governor it was said to be inefficient, &c., on which, enquiry was ordered by the governor in council, and they resolved 'that the com-' 'plaint was well founded, and that the light had been often' 'bad and insufficient.' They thought that the cause of complaint arose partly from carelessness of attendants, and partly from bad oil, which had often been used, (better at some times being with great difficulty to be obtained), and sometimes by the light being interrupted by the intervention of fogs, which often hung upon the coast, and the smoke not being at all times readily carried out of the lanthorn. They

asked commodore Gambier to represent this in England, with a view to get aid, and to use measures to obviate further cause of complaint. They afterwards voted £50 salary to the collector of light duties, and that he should buy the oil, &c.

In June, of this year, Joseph Gravois, Joseph Bonnevie, John Belloney and Aimable Richard, received grants of land in the township of Clare, (on St. Mary's bay, West.)

On 17 October, lord William Campbell sailed from Halifax for Boston, and Benjamin Green assumed the administration of the government. 19 Dec'r. Giles Tidmarsh and John Fillis were made justices of the peace for the county of Halifax.—Governor Campbell to the earl of Hillsborough: Halifax, Nova Scotia, 28 September, 1771. (Sambro island, West side of the entrance of Halifax harbor.) "The light house is a stone building, 62 feet high, erected on the top of a rocky island, 72 feet above the surface of the water, so that the light is 134 feet high from the water, and is about 12 miles from Halifax." "The fund provided for the discharging of the expense of this light arises from a duty of 6d. a ton laid on vessels in general coming into this harbour." "The annual income, comparing one year with another, amounts to about

	£184 0 0 stg.
The expence of oil and other necessaries, with the hire of attendance and provisions,	142 0 0
Remains profit to the contractor about	£42 0 0

The person who manages this light has undertaken to bear all expences in consideration of receiving all the duties laid on shipping for the support of it. The business consists in measuring and examining the tonnage of the vessels, collecting the duties and providing the oil and other necessary stores for the light and the people attending, which is done at Halifax, and in keeping the lanthorn lighted every night, and firing signals on particular occasions. The first of this business is done by the principal, who has provided a pilot and two servants to reside on the island to do the latter. From this representation I hope it appears to your lordship that there is

no nominee, and that the charge is provided for and paid from an appropriated duty, which is £200 yearly, Halifax currency, equal to £180 sterling. (This differs from the modern ratio. Perhaps it should read £150.)

In this year, 1771, there were 2950 acres of land in Argyle, granted to 25 persons.

1772. In January, Jonathan Binney was made a justice of the common pleas for Halifax county. In May, Samuel Dogget was appointed to a similar office in Queen's county; Samuel Chipman and Elkanah Norton were appointed justices of the peace for Cornwallis; Philip Richardson for Wilmot, and John Moreau for county of Sunbury. 1000 acres of land at Sissibou were granted to lieut. Thomas Walker, late a lieutenant in the 40th regiment. Lands in township of Clare were granted to Acadians, viz't., Aimable Doucet, 350 acres; John Babin, 150; Isidore Mirot, 200; Basile Mirot, 250; Basil Boudrot, 300.

On tuesday, 9 June, the government schooner Gaspé was burnt, and her commander, lieut. Duddingston, was dangerously wounded, by a party of discontented persons in Rhode island.

The assembly of Nova Scotia met at Halifax, 9 June. Michael Francklin, the lieutenant governor, acting in command; Belcher, president of council; Nesbitt, speaker of assembly; Bulkeley, secretary of council; Isaac Deschamps, clerk of assembly. Nine acts were passed,—one established a sessions of the peace at Campobello. Christopher Prince was member for Granville. The payment of quit rents was demanded, and the house feared the burthen would be too great, unless the money were applied to the use of the province. Malachy Salter took his seat for Yarmouth. This session ended 8 July.

The light house on Sambro island underwent some alterations. Fountain lamps were constructed, that gave a strong and clear light, without snuffing, or any supply of oil during the longest winter night, with flues that carry off the smoke, that before darkened the glasses and almost totally obscured

the light at times. This improvement was made by Henry Newton, member of council and collector of customs. Mr. Green requests leave to resign his post as naval officer, in favor of his son, Charles Green, and recommends a salary to Mr. Jonathan Binney, at Canso, equal to that of Mr. Cottnam, at Louisbourg.

Mr. Francklin, the lieutenant governor, returned to Halifax on the 2d June. He brought with him the welcome intelligence of £200 granted by the king for the repair of St. Paul's church. He also brought authority to governor Patterson, of the island of St. John, to use the hewn stone on the West side of the island of cape Breton. Mr. Green was, at this time, too ill to transact business. 26 June. Mr. Francklin states that five councillors are required to make a *quorum:* that there are but six in town, including Mr. Green, 'who, it is appre-' 'hended, will never be able to attend again, and three of the' 'other five are upwards of 60 years of age, and rather infirm.' (The six were—Belcher, Green, Morris, Bulkeley, Newton and Gerrish.) He wished, therefore, to have power to fill up the seats of the late Mr. Collier, and that of Mr. Gorham, who is lieutenant governor of Placentia, and recommends Arthur Goold and John Butler for their places.

On the 10 July, lord William Campbell returned to Halifax. He complains of the obstacles to settlement, owing to the necessity of sending to Mr. John Wentworth, the surveyor of woods and forests. Acts had been passed in 1770 and 1771 for raising money in the several counties to pay their representatives, and these acts were repealed in 1772, by chapter 4. Governor Campbell had obtained leave to go to England, but his absence on the continent of America had so far restored his health that he hoped to be able to remain in the province. In October, he says, the merchants here complain of illicit trade on the coast from Canso to *baie des Chaleurs*, by which the fishermen are supplied with contraband goods, and he suggests the stationing an armed schooner there to prevent it. Mr. Benjamin Green, who had been secretary to the British forces at Louisbourg in 1745, afterwards member of council, treasurer, naval officer, and president commanding in chief in

Nova Scotia, died on the 14 October. Governor Campbell gave the naval office to Arthur Goold, his private secretary. In November, governor Campbell states that Mr. Binney went eight years ago to Canso, at the request of governor Wilmot, on a promise of being provided for. As his deputy collectorship is insufficient, he recommends him to have £100 a year. He afterwards recommends Mrs. Green, the widow, to government. 12 Aug't. Three vacancies were stated in the council, by the deaths of John Collier and Benjamin Gerrish, (Collier died 14 April, 1769—B. Gerrish attended council to the end of 1770), and by the promotion of major Joseph Gorham, who was made lieutenant governor of Placentia, and in June, 1772, lieut. colonel in the army.

On the memorial of madame de Chevry, 1500 acres of land at Sissiboo were granted her.

In council, 20 Nov'r., 1772, Arthur Goold and John Butler, esquires, were, pursuant to H. M. *mandamus*, sworn members of the council, and took their seats accordingly.

In this year we find—

Joshua Mauger, of Warborne, near Lymington, Hants, was member for Poole, in Dorsetshire.

Halifax Naval Yard:

Joseph Gerrish, storekeeper and naval officer, £200.

House rent, £30; clerk, Jacob Hurd, £80.

A. Constable, master builder, £200.

(1.) M. Arbuthnot, captain of the Terrible, 74; William Duddington, master and commander of armed schooner Gaspé. (2.) Lord William Campbell, captain R. N., August 20, 1762. (3.) Andrew Snape Hammond, captain R. N., Dec'r. 7, 1770; captain John Brewse, engineer, at 10s. a day. (4.) John Parr, major 20th Foot, 26 Jan'y., 1770. 1, 2, 3, 4, were all governors of Nova Scotia.

The dissatisfied feelings prevalent in the New England colonies at this time, assumed many shapes. The following extracts shew one or two of its aspects:

"At a council held at the council chamber in Cambridge, June 13, 1772, his excellency acquainted the board that he was

restrained from removing the general court to Boston, whilst the assembly continued to dispute the authority by which he was directed to cause it to be held in any place except Boston; and laid before them the signification of his majesty's pleasure, made to him by one of his majesty's principal secretaries of state, together with his speech to the two houses, and the several messages which had passed between him and them the present session, and required the opinion and advice of the council upon their oaths as counsellors, whether, consistent with this signification of his majesty's pleasure to him, he may now remove the court to Boston. The council thereupon gave their opinion and advice unanimously in the affirmative.

A true copy, attest. THO. FULCKER, Sec."

"We hear that a commission came, by the Cruiser, under the great seal, appointing and authorizing Joseph Wanton, esq., governor of Rhode Island, Daniel Horsemanden, esq., chief justice of New York, Frederick Smith, esq., chief justice of the Jerseys, Peter Oliver, esq., chief justice of this province, and Robert Auchmutty, esq., judge of the admiralty, to make enquiry into the affair of burning his majesty's schooner Gaspee; and that admiral Montague is ordered to hoist his flag in Newport harbour. *Boston, Dec.* 17, 1772. This commission has been, by some, added to the list of grievances."

1773. Lord William Campbell, in a letter of 13 Feb'y. to the secretary of state, thanks the king for leave of absence—wishes six months leave. Says he has served the present king and his grandfather for 24 years. Says he loves 'H. M. subjects' 'of this infant colony,' and flatters himself that he has been of some service to them, and speaks of their 'constant obedience' 'to H. M. commands.'

Mr. Zouberbuhler, who had been a member of council and first magistrate of Lunenburg, died at Lunenburg 31st Jan'y. Mr. Z. had for some years received a pension of £50 per ann. out of the parliamentary vote. Governor Campbell, 20 Feb'y., recommends Mr. Archibald Hinshelwood to the seat in council, vacant by Mr. Zouberbuhler's death. Mr. Hinshelwood

had been in the province from 1749—had been several years a magistrate, and was 'in every respect well qualified.'

The assembly met at Halifax, 20 April. Messrs. W. H. South and John Philips took their seats for Halifax county. Five acts were passed, and the session ended. 24 April. (We have no copy of the journals, which, as before stated, are wanting from 1770 to 1775.)—Lord William Campbell to the earl of Dartmouth: Nova Scotia, Halifax, 26 April, 1773. He describes the illicit trade of the N. E. parts of this province. "This trade is carried on between the French who inhabit the "isles of Miquelon and St. Pierre, and the people inhabiting "the coast from Canceau to the bay des Chaleurs, who consist "of Indians, French Acadians, Americans and Europeans, his "majesty's subjects. By the former the latter are supplied "with wine, brandy, and other French European commodities, "for which they receive chiefly furs and peltry." Had received assurance from lord Sandwich that an armed vessel should be stationed there. The rev'd. Mr. Bryzelius died at Lunenburg in the beginning of April, while preaching to his congregation. He left a widow and a number of children in very distressed circumstances. Recommends remainder of year's stipend be given to them. The rev'd. Mr. De la Roche, the other missionary at Lunenburg, a native of Geneva, can speak English sufficient to perform service. Thinks best to abandon services in German, &c.

On the 4 May, in council, present the governor, and messrs. Belcher, Morris, Bulkeley, Newton, Binney, Goold and Butler, the chief justice Belcher stated that in the week before, Joseph Frederick Wallet Desbarres, one of the justices of the peace, had grossly insulted and abused him in his station as chief justice, having, in a forced conversation, directly threatened him with an *affidavit*, importing prejudice and partiality in his cause now remainiug in the court for judgment. Belcher claimed protection, and that suitors might be deterred 'from' 'the high presumption of conferring with any judge relating' 'to their causes.' The governor and council determined that Desbarres' offence was of the most heinous nature, and required the most public acknowledgment of his crime. Mr. Bulkeley,

the secretary, accordingly wrote to Desbarres, who replied from Windsor, 9 May, stating that he was conscious that he had not said anything with an intent to abuse or insult Mr. Belcher in the capacity of a chief justice, nor in that of a man. He was sorry Belcher thought he meant to insinuate any doubt of his integrity and justice, while he (Desbarres) had often expressed a high opinion of Belcher. The council pronounced this apology evasive, but thought it sufficiently vindicated the chief justice's character.

In the London magazine for June. 1773, we find the following appointments: William Campbell, esq., commonly called lord William Campbell, to be captain-general and governor-in-chief of his majesty's province of South Carolina, in America, in the room of lord Charles Greville Montague; Francis Legge, esq., to be captain-general and governor-in-chief of his majesty's province of Nova Scotia, in America, in the room of lord William Campbell. (Mr. Legge was a relative of the earl of Dartmouth, and was a major in the army.)—W. Tonge, esq., was appointed naval officer by mandamus, and sworn into office. He claimed to have half the fees of the naval officers at outports as his deputies. An order was made by the king, in council, 7 April, 1773, suspending the power of the governors to grant land, except what had been promised to officers and soldiers by royal proclamation, dated 7 Oct'r., 1763. We find lord William Campbell was here in August. On 8 Oct'r. Mr. Legge having arrived, was duly sworn in as governor. The lieutenant governor, Mr. Francklin, and messrs. Belcher, Morris, Bulkeley, Jo. Gerrish, H. Newton, Binney, Jo. Gorham, Arthur Goold and John Butler, councillors, were nominated in the king's first instruction to the governor. Mr. Gorham was absent, but the other councillors then present were sworn, and on the 12th the lieutenant governor was sworn, and on the 25th Mr. Binney.

The assembly met 12th October, and the session ended 12th November, (5th assembly—5th session.) Mr. Nesbitt being sick, Henry Denny Denson was chosen temporarily as speaker. The house and council addressed the late governor, lord Wm. Campbell, on his appointment as governor of South Carolina.

Seth Harding took his seat for Liverpool, in room of John Dogget, deceased. Mr. Denson received the thanks of the house for his services as speaker. Mr. Hinshelwood died this autumn, and governor Legge recommended Mr. John Creighton to the seat in council that his predecessor had requested for Hinshelwood. Legge tells Mr. Pownall that Mr. Huston, who had been recommended for a councillor, was a half-pay lieutenant in the army—of honest character, about 70, resided in Cumberland, but had sold most of his land and gone to Boston. His return thence was very doubtful. In his letter to the earl of Dartmouth, secretary of state, governor Legge says: "From the best information I have, the progress of this "province is much retarded by want of industry among the "people who came into the back parts of it from New Eng-"land," and by the want of roads.

In June, governor Campbell declared in council his intention of reserving for himself, in property, a tract of land, containing about 21 acres, around the hill at Windsor, on which the Fort formerly stood,—also 15 acres on the peninsula of Halifax. In August, he made a like statement as to 400 in the township of Cumberland; and on 5 Nov'r., in council, after Mr. Legge had become governor, a memorial from lord William Campbell was received, requesting a reservation of the island Grand Manan, until H. M. pleasure might be known, which request was granted.

Pictou, now one of our most important and prosperous communities, seems not to have been settled by the French. It would appear that the Indians had a village there. It is especially named in one of the maps in the small Paris edition of Charlevoix, of 1744, spelt as we now spell it. The first attempts to form a settlement there took place in 1767, 1768 and 1771, but it was not until 1773 that anything very effectual was done, when about thirty families arrived in the ship Hector. The particular account of this infant community is given so well by the rev. George Patterson, in his biography of Dr. McGregor, that I gladly borrow in the appendix from his work. As he is a native of the place, descended from its

first settlers, his information must be most reliable, and his talent has made his book most graphic and interesting.

On the 18 December, 1773, the celebrated destruction of tea occurred. A party of the Boston citizens, in the garb and disguise of Mohawk Indians, boarded three ships, and threw their cargoes of tea into the harbor, the object being to prevent the collection of duty on tea consumed in the colonies, imposed by an act of the British parliament, as a revenue would thus be raised from the colonies without their concurrence or consent. The tea was the property of the East India company, who had lent themselves to the views of the English ministry, by sending their property to the different American colonies in defiance of the rights and wishes of the Anglo-Americans. Traditions tell, that while the broken tea chests were floating down Boston harbor, some old ladies, thinking it a sin that all this good thing should go to waste, got into flats, and paddling along, scooped up the dry portions of the tea for home consumption. Indeed we have many tales, seemingly true, as to the love of tea prevailing over patriotic ardor; and that most secret meetings were occasionally held to mix, boil and partake of the beloved infusion, when it was viewed as the desecrated implement of tyranny and oppression.

APPENDIX TO CHAPTER XXXVI.

(1.)

From the memoir of the Rev. James McGregor, D. D., by his grandson, the Rev. George Patterson, Philadelphia, 1859:—

P. 73.—"But we must give a more particular account of the early settlement of Pictou, and its condition at this time. This fine county, which formed the principal sphere of Dr. MacGregor's labours, and with the national and moral progress of which his name is so intimately associated, lies on the southern shore of the straits of Northumberland. It is about forty miles along, by about twenty in breadth. Its coast is indented by a number of harbours, the principal of which are River John, Carriboo, Pictou, and Merigomish. Into these flow River John, the East, West and middle rivers of Pictou and Sutherland, French and Barney's river of Merigomish, besides smaller streams, so that it is well watered through-

out. Along the shore the land is gcnerally level; but in the interior, ranges of hills extend in every direction, presenting a scene of the most varied and beautiful description. A range of higher elevation, being a branch of the Cobequid hills, extends along the Western boundary. Another range traverses the southern portions of the county, which, though not rising to as great an elevation, has a broken and rocky appearance.

It has no marsh land, but along its rivers is much valuable intervale, and much of the upland soil, even to the summits of the hill, is fertile, and everywhere it is capable of cultivation. It has also abundance of mineral resources, especially coal, iron ore, freestone, gypsum and limestone.

Although Pictou is now the first agricultural county in the province, and has a larger population than any other, with the exception of the metropolitan county of Halifax, yet it was one of the latest in being settled. The French had made no permanent settlement there at all. They had visited the place, and, just before the final cession of the province to the English, had made preparations for occupying it, but they never accomplished their purpose. In the year 1765, a grant of 200,000 acres of land, embracing the Western part of the county and part of the county of Colchester, was made to fourteen persons in the city of Philadelphia, usually known as the Philadelphia company. Some of the shares were transferred, so that the celebrated Dr. Witherspoon, and John Pagan, of Greenock, became proprietors. The condition of their grant was, that they should settle so many families upon it within a given time. Before, however, this grant grant was actually laid out, colonel MacNutt obtained a grant of a considerable block of land, where the town of Pictou now stands, and extending a considerable distance along the shore of the harbor. This grant was afterwards transferred to governor Patterson, (of P. E. Island), and has been commonly known since as the Cochrane grant.

The Philadelphia company sent the first band of settlers to Pictou. They consisted of six families from the borders of Pennsylvania and Maryland, who sailed from Philadelphia in May, 1767, in a small vessel called the Hope, of Rhode Island, captain Hull. Having been delayed by calling at Halifax to obtain information regarding the coast around, they reached Pictou harbour on the 10th of June. The people of Truro having heard of them in Halifax, several persons set out to meet them, and arrived at the harbour the same afternoon. They saw the vessel coming up the harbour, and kindled fires on the shore to attract those on board farther up. The latter saw the fires, but concluded that they were made by the savages, and held a consultation whether they should oppose them or submit to them, and resolved upon resistance.

On the following morning they saw the party from Truro coming along the shore and by examining them with their spy-glasses, found that they were white people. That afternoon they landed at the point on Mr. Thomas Waller's farm, just above Halliburton stream. The prospect before them was dreary indeed. One unbroken forest extending to the water's edge—an alder swamp occupied the lower portion of what is now the town of Pictou, and there were no inhabitants, but Indians, whom they feared as savages. Mrs. Patterson used to tell that she leaned her head against a tree which stood on the point, in despair. She thought that if there was a broken-hearted creature in the world, she was the one. It was, however, no time for giving way to despondency, and they commenced erecting their shanties and preparing for a settlement. They had a supply of provi-

sions, and each was allotted a farm lot. They discovered, however, that Governor Patterson had obtained the most eligible site for a town. They did, however, lay out a town at Waller's point, already referred to, but it was never built.

Of the six families who came in the Hope, two removed to Truro; the remaining four set to work energetically to provide for their support, but of course little crop could be raised that season. For some time they obtained a large portion of their food by hunting, a work in which they usually had the assistance of the Indians, whose jealousy, however, it sometimes required all their address to allay, or by catching the fish with which the harbour and rivers abounded. On the following spring they proceeded to Truro for seed potatoes. Though the distance is only forty miles, it required three days to perform the journey, there being no path, and they being the first even to make a blaze on their course. They carried home on their backs what they planted that year. The proceeds were not sufficient for their subsistence during the subsequent winter. In the following spring they again proceeded to Truro for a supply of seed, but they only brought the eyes, which they had scooped out of the potatoes. They could carry a large quantity of them, which yielded enough to keep them the following season. The heads of the families which remained were Robert Patterson, Dr. John Harris, John Rogers and John MacCabe.

About a year after their arrival they were joined by two families from Truro, and two or three from Cumberland; and in the year 1771 a few more families removed from Philadelphia to join their brethren. Some trade also was carried on, but several got discouraged by the long and cold winter, so that little progress was made, till the arrival of the ship Hector, with passengers, from Scotland, in the year 1772, from which time the actual settlement of the place may be dated.

Some of the proprietors of the Philadelphia company offered liberal terms for the settlement of their grant. They made an agreement with one John Ross, by which they were to give him, and every person he might bring to this country, a certain quantity of land. These proposals were eagerly embraced by numbers, who knew not the hardships of settling a new country. About 30 families, most of them Highlanders, allured by the prospect of owning a farm, bade adieu to the land of their nativity, and arrived at Pictou on the 15th September following. The Hector had been ill provided, so that eighteen died during the passage, and were cast into the sea; and when she arrived there were some either dying or dead. The latter were buried on the beach, while the living were landed at Brown's point, without provisions, and left to find shelter and food for themselves as best they might. It being so late in the season when they arrived, of course no crop could be got into the ground that year. The Hector was immediately dispatched to Philadelphia to bring back a supply of provisions; but by the time she returned, the settlers having found that the Philadelphia grant, which they had come to settle, extended far into the interior, with only a small frontage on the shore, and that occupied by those who had previously arrived, they refused to occupy it. They were afraid of Indians and wild beasts, and besides, unprovided as they were with even compasses, they were liable to be lost in the woods, and they were shut out from what they soon saw must, for a time, prove their principal dependance for subsistence—the fish in the harbour and rivers. When the Hector returned, and it was found that they had refused to settle the company's grant, the provisions were refused. A jealousy also arose between them and the American settlers, so that the latter did not readily render the assistance which

they might have done under other circumstances. A dispute also arose between Ross and the company. They refused his demands, and soon after he abandoned the passengers he had brought out, so that they were left without food, and entirely destitute of means to provide for themselves, and even difficulties were thrown in the way of their getting their grants, and being unaccustomed to hunting, they were reduced to great distress. Most of them moved away to Truro, or places adjacent, and some even to Halifax and Windsor, to obtain by their labour the necessary means of support for their families. Some went that season, but others not till afterwards. Those who remained had only rude camps to shelter themselves and their families during the winter, of the inclgmency of which they had previously no conception. To obtain food for their families they had to proceed to Truro, through a trackless forest and in deep snow, and there obtaining a bushel or two of potatoes, and sometimes a little flour, in exchange for their labour, they had to return, carrrying their small supply on their backs, or in winter dragging it on hand-sleds on the snow, sometimes three or four feet deep. Those who remained got on pretty well the two following seasons. Timber of the best quality abounded, and American vessels came in, which supplied them with necessaries in exchange for staves, timber, &c. and they were beginning to surmount their difficulties, when the American revolutionary war broke out; and that branch of trade being stopped, they were cut off from all supplies from abroad. Even salt could not be obtained, except by boiling down sea water; and in summer the settlers might be seen in fine weather spending days at the shore, preparing their winter's supply.

The breaking out of the American war increased the jealousy between them and the American settlers. The Scotch were decided loyalists, while those who had come from Philadelphia, as well as most of the inhabitants of Truro and the adjacent settlements, had a very warm sympathy with the Americans. A number of the former, joined by reinforcements from Truro, seized a valuable vessel belonging to captain Lowden, then loading in the harbour, and started off to join the Americans, who then had possession of the country about bay Verte. On one occasion. at least, they were in danger from the Americans. Two American armed vessels, the same which plundered Charlottetown and carried off the President (Mr. Colbeck) administering the government, appeared off the entrance of the harbour, threatening to plunder the people; but one of the first settlers, named Horton, went on board, and represented that there were only a few Scotch people there just commencing a settlement, and having nothing worth taking away. Through his persuasion they left them unmolested.

We cannot give the names of all the passengers by the ship Hector, but their descendants embrace a large proportion of the inhabitants of Pictou, such as the McKays and Frasers, of the East river—the Mackenzies, Macleods, Macdonalds, Mathesons, Camerons and Frasers, of West river and Loch Broom, and the Douglasses, Macdonalds and Frasers, of Middle river.

These settlers had scarcely surmounted the first difficulties of their settlement, when they were again plunged into difficulties by the influx of a class in poorer circumstances than themselves. These were a body of emigrants who had been sent out from Dumfriesshire by one of the proprietors of Prince Edward Island, to settle his land. They landed at Three rivers—part of them in the year 1774, and part of them in the following year, and were left in a state of almost entire destitution. They continued there about 18 months." (The author's details of

their sufferings in the island I omit.) "Having heard that there was food in Pictou, they dispatched one of their number to enquire into the prospects there. His report was, on the whole, so favorable, that fifteen families immediately removed over." (The whole settlement suffered great privations in consequence, even to boiling beech leaves for food.) After a time they prospered better—cleared and burned land—sowed wheat—killed moose, &c., and in 1779 a trade for British goods was begun by John Patterson, who took wheat from the people in exchange.

In 1783 and 1784 many disbanded soldiers of Highland regiments settled in the county of Pictou.

It appears from the same work, p. 174, that the ground where the town of Pictou now stands was cleared in the year 1787, the wood being cut down in the winter; and that the first house in it was erected in 1788.

The emigration from Scotland to Pictou and its vicinity has been very constant down to a recent period, so that the people of Scotch origin predominate largely in that vicinity, and are numerous over all the most North Eastern counties of Nova Scotia." [*Ibidem. p.* 66.]

(2.)

Archibald Hinshelwood came to Halifax in 1749, as one of the Governor's clerks. [*See p.* 149 *of this vol.*] He appears to have been much trusted, as Pichon, alias Tho. Tyrrell, was placed in his charge at Halifax. He became a member of assembly, and was about to take a seat in the council when he died. He had, by frugality, acquired a moderate estate. He owned, at the time of his death, 5 or 6 town lots on Argyle, Duke and Grafton streets, in Halifax, on which were his dwelling house and garden, near Moir's new brick bakery, and some country lands. His property fell to a nephew, an officer in the army. This heir had three sons, one named Archibald, died a lieutenant in the navy,—another Edward, was an officer in the army. A third was Charles. They all died unmarried.

CHAPTER XXXVII.

1774. Through Mr. Woodmass' failure to send a supply of oil in time to the Sambro' light house, it was without light for five successive nights, and Mr. W. owed the establishment £20 3s. 6d., which he declared himself unable to pay. The council decided, 4 Feb'y., that Woodmass should be no further employed in that business, and that for the future the light duties should be collected at the impost office. Messrs. Newton, Binney, Goold and Butler, were appointed a committee to enquire into the collection of quit rents. The notes and securities of debtors to government, who had not given satisfactory answers to demand of payment, were ordered to be sued on by the attorney general. 29 March. Mr. Morris was sworn in as a councillor, and so was Mr. James Burrow, under his mandamus dated 3 Jan'y., 1774.

7 March. The king sent a message to both houses of parliament, respecting the occurrences at Boston, asking their aid to stop disorders—secure the execution of the laws, 'and the just' 'dependance of the colonies upon the crown and parliament of' 'Great Britain.' An address was passed in the house of commons, corresponding in tone to the message. On 31 March, a bill passed, by which the trade of the port of Boston was interdicted, called usually '*the Boston port bill.*' Another bill passed, to annul the charter of Massachusetts bay, and vest the nomination of the council, judges and public officers, in the crown; and a third bill, to remove persons charged with murder, &c., who had acted in support of magistracy, to be tried in England or in some other colony. General Gage was made

governor of Massachusetts, as well as commander-in-chief of the British troops in North America. Gage and the obnoxious bills got to Boston almost simultaneously, and the fires of discord first kindled in 1765, by the stamp act burned more fiercely than ever. Impeachments and dissolutions prevailed, and public meetings and resolutions kept alive the flames of discontent. In April, some person broke open the governor's bureau at Halifax, (whether for theft or abstraction of papers does not appear; but, in the peculiar state of affairs in America, we may incline to think the latter.) Governor Legge offered fifty guineas reward, and the council (6 April) added £100 and the king's pardon to any one who should discover the offenders.

Mr. Robert Patterson, of Pictou, was appointed justice of peace for Pictou, Onslow and Truro.

Governor Legge states two difficulties he had to Mr. Pownall. 1. Mr. Nesbitt, the speaker and attorney general, was also surrogate judge of probate, and declined to pay over a sum of money in his hands to the administrator of the estate of William Foye, to which it belonged, notwithstanding the order of governor Legge as ordinary in chief. 2. The late Mr. Hinshelwood was registrar of the same court of probate, and had money of suitors in his hands; and the hon. A. Goold, his executor, refused to pay the money over, as ordered by the governor, in his capacity of chancellor. He seeks information how his orders can be enforced.

The council unanimously thought the proclamation of 7th Oct'r., 1763, promising grants of land extended to all provincial officers and soldiers, without exception. Mr. Legge did not think so, and sought instruction. £203 1s. 0d. was charged in the estimate for a pilot boat. Proposes a saving, by getting a smaller boat, and giving £40 a year to captain Rous' widow. He mentions that in September last, 200 persons, Scotch Highlanders, had come from Glasgow into the North East part of the province, to settle on part of the lands which had been granted as a township about ten years before. Writing 10 May, he says two brigantines had arrived at Halifax from Hull, importing 280 persons from Yorkshire, and three more vessels from the same place were expected. The whole

number to exceed 600 persons. They do not expect grants of crown land. Some come to purchase land—others, perhaps, to become tenants, and some to labor. He wishes to know if coal mines can be worked where there is no express reserve. Under the present order to *sell* crown lands, he wishes to know if Roman Catholics can become purchasers. Governor Legge gave permission to Michael Flanigan to reside on the isle of Sable, together with four other persons he should take with him, on condition that they should help any who might be shipwrecked there. He transmits to lord Dartmouth a report of Mr. Morris, the chief surveyor, respecting crown land and timber, [*see appendix*], and recommends that gentleman and his family very highly to the favor of the crown for fidelity, industry, and readiness to assist the governor in every department. He complains of Nesbitt about the detention of money as surrogate, and neglect to collect crown debts; attributes it to age and infirmity, Nesbitt being near 70. Proposes to set him aside, with an allowance. Has heard that James Monk expects to succeed him as attorney general, but thinks Monk too young and inexperienced.—In another letter,—"Hopes this single example made of town of Boston will be" "a means to convince the Americans that it is their interest" "as well as duty to be amenable to the laws of Great Britain." He says "the disorders in the colonies have arisen to the" "greatest height, and require coercive measures."

On June 3rd, Mr. Joseph Gerrish died, and governor Legge sent a renewed recommendation of Mr. John Creighton to a seat in council, couched in strong terms.—He says that 5d. a gallon duty, in favor of distillers here, has almost lost the West India trade, which takes off fish, lumber, horses, &c. "Thinks the laws of importation here ought to be in the" "hands of parliament," for such acts as are made "in the" "colonies are too frequently done out of partial and sinister" "views, with regard more to the advancement of private" "interest than to increase the public revenue."

In May and June, this year, nine passenger vessels arrived at Halifax, of which, 2 from Scarborough, 2 from London, 1 from Newcastle, 1 from Sunderland, and 1 from Aberdeen. Total

of their passengers, 703. A list of 490 names is given. Their names are English. At this time, a ship, called the Adamant, made two voyages annually to Halifax from Great Britain, being the only regular trader of the kind. The port bill cut off the usual intercourse with Boston, and there was no settled commerce between Halifax and any other port on the American continent.

An orphan house subsisted at this time in Halifax, supported out of the parliamentary vote for Nova Scotia, in which 25 children were to be maintained. A contract now was made with the keeper for their subsistence, at £250 a year. The building required repairs. £34 had been allowed to the rev. Mr. Breynton, as inspector of the establishment. Governor Legge conceived that there had been a want of economy, so that a handsome building might have been erected for the amount wasted.

Lord Dartmouth had decided that Mr. Tonge, the naval officer, could not expect both fees and salary,—also that being naval officer for the province, Tonge had the right to appoint deputies, but thought the deputies should have the fees.—Governor Legge (15 July) informs his lordship that Mr. Tonge is a gentleman of good character and reputation—had served as a lieutenant in the late war, and was often employed by Lawrence and Monckton as an engineer in this province, and in many necessary affairs; that he had since become a settler in the country, and expended more than £3000 in agricultural improvements; that he was esteemed by the people who had elected him as their representative in general assembly, where he sat for many years, and that he is well attached to the interest of the country. He recommends Tonge to be a member of the council at the first vacancy. He thinks resident freeholders attached to Great Britain best suited for the council.

Twenty French Acadians arrived at Canso, from France and Jersey. Some had families with them. They had taken the oath of allegiance, and desired to settle there. The council advised that Mr. Binney should be directed not to encourage their settling at Canso, or on the sea coast.

Mr. Zouberbuhler is mentioned in the records of council of 23 August as "the late Mr. Zouberbuhler," so we learn he had died previously.

Great numbers of vessels, belonging to almost every colony on the American continent, passed constantly through the gut of Canso, either to Quebec or for fishing, and a contraband trade in French goods was thus carried on. Acadians, about this time, formed settlements both at St. Pierre and Miquelon, and at the isle Madame and the island of St. John. Apprehensions were entertained still that the Acadians would, in time of war, notwithstanding their oath of allegiance, incite the Indians to attack the English settlers, and supply them with ammunition and provisions. [*Legge to the earl of Dartmouth*, 20 *Aug.*, 1774.]

In council, 8 September. Mr. James Monk, appointed solicitor general by H. M. mandamus, was sworn into office.

The congress of the dissatisfied colonies met at Philadelphia on 5 Sept'r., 1774. There were 51 delegates present, representing New Hampshire, Massachusetts bay, Rhode island, &c., Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina. They continued sitting until the 26 October. They issued a number of state papers, declaring the colonial grievances, and pointing out the remedies—expressed their sympathy with the people of Boston, suffering, as they said, under the late 'unjust, cruel and oppressive acts of the British parliament.' The congress also published a declaration of rights, to which, they say, the English colonies of North America are entitled, by the immutable laws of nature, the principles of the English constitution, and their several charters or compacts. In the first of these are life, liberty and property, a right to the disposal of any of which, without their consent, they had never ceded to any sovereign power whatever. That their ancestors, at the time of their migration, were entitled to all the rights, liberties and immunities of free and natural-born subjects; and that by such emigration they neither forfeited, surrendered, nor lost, any of those rights. They then state, that the foundation of English liberty, and of all free govern-

ment, is a right in the people to participate in their legislative council; and proceed to shew, that, as the colonists are not and, from various causes, cannot be represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal policy, subject only to the negative of their sovereign, in such manner as had been heretofore used and accustomed. They enumerated the parts, or the whole, of eleven acts of parliament, which had been passed in the present reign, and which they declared to be infringements and violations of the rights of the colonists; and that the repeal of them was essentially necessary, in order to restore harmony between Great Britain and them. Among the acts of parliament thus reprobated, was the Quebec bill, which had already been the cause of so much discussion at home, and which they termed "An act for establishing the Roman Catholic religion in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there;" to the great danger (as they asserted) from so total a dissimilarity of religion, law and government, of the neighbouring British colonies, by the assistance of whose blood and treasure that country was conquered from France. After specifying their rights and enumerating their grievances, they declared, that, to obtain redress of the latter, which threatened destruction to the lives, liberty and property of the people of North America, a non-importation, non-consumption, and non-exportation agreement, would prove the most speedy, effectual and peaceable measure. They accordingly entered into an association, by which they bound themselves, and of course their constituents, to the strict observance of certain articles, viz.: not to import British goods, East India, products of the British West Indies, wines from Madeira or the Western isles, or foreign indigo,—to discontinue the slave trade. All exportation to cease 10 Sept'r. 1775, except that of rice, unless the obnoxious acts of parliament be previously repealed.

At the same time the courts of justice in Massachusetts

were prevented sitting by crowds of people; and at Boston, the grand and petit juries refused to be sworn.

In September, Mr, William Smith, a merchant in Halifax, who was a justice of the peace and judge of the Inferior court for Halifax county, had received a quantity of tea, from merchants in New England, which was not the property of the East India company, on which he wrote a circular note to the merchants of the town, thus " Mr. Smith's compliments to " " the general traders, and requests the favor of their company " " to meet this morning at Rider's, on business of consequence." Smith had told governor Legge, that if the tea had been the property of the East India company, he would have had nothing to do with it. Smith being called in before the council, declared he had waited on the governor to acquaint him of his having called the merchants together, as he believed the people would be prejudiced against the tea, if it belonged to the E. I. company, and his object was to dispose of it; that he should not have done this if he knew it to be improper or illegal, and that asking the opinion of several of his friends, messrs. Fillis and Boyd approved the measure. Fillis admitted the advice he had given;—he looked on all tea alike that was chargeable with a British duty, 'but did not trouble him-' 'self about it, as he did not deal in it.' The council advised that Mr. Smith be removed from all offices he held under the government. Mr. John Newton, who had prevented the meeting from taking place, received the thanks of the council, and a proclamation was advised against unlawful meetings and assemblies.

In council, 19 Sept'r. Mr. George Henry Monk, attending according to order, and Mr. Fillis having been also summoned and attending, declared " That on a cargo of tea having been " " sent to him, the property of the East India company, it was " " proposed to make an offer to Mr. William Smith to be con-" " cerned with him in the sale of it, but was informed that " " Mr. Smith would not be concerned in it; that on speaking " " to Mr. Smith, he declared it was against his principles, and " " would have nothing to do with it,—however, he did take it " " afterwards, and further declared that Mr. Fillis was at the "

"landing of the tea; that many people complained against" "the landing of it, particularly Mr. Fillis, who declared that" "the measures of government were oppressive, and that he" "had thoroughly considered it, and was firmly of that opinion," "and used several arguments to dissuade the purchase of it:" "which charge was admitted by Mr. Fillis." The council advised that Fillis should be removed from all his offices under government. The proclamation in the Nova Scotia gazette, 20 Sept'r. 1774, against public meetings, stated that they had been held in several of the townships, and tended to disturbance.

M. Bailly, the priest, had obtained leave to go to Quebec, on his private affairs, in May, 1772. He had not returned, and it was reported that he was dead. Governor Legge says that emigrants from England and Ireland here are few in comparison with the other colonies. He expects but few, as the best lands are already granted, and some who came here returned dissatisfied. He proposes to apply the quit rents to making roads, and shall be careful to reserve coals in future grants. Legge, describing the affair of the tea, in connection with Smith and Fillis, calls it "alarming circumstances." Urges the want of an attorney general "of knowledge, experience" "and firm resolution in such critical times," and repeats his objection to Mr. Monk, on account of his youth and inexperience.

A question arose on a claim of 5000 acres of land by the executors of Mr. Zouberbuhler. [*See appendix.*] In October, Mr. Legge says, that since the affair of Smith and Fillis, the inhabitants in general have behaved with due decorum. The East India company's tea had been purchased, and disposed of through the country. He says his own fees this year were but £39 9s. 8d., not half as much as he has paid in the government of New York to the governor for his own fees in a single grant of 5000 acres.

The assembly met at Halifax 6 October, 1774, (5th general assembly—6th session.) 22 Oct. the assembly addressed the governor, stating that they had passed a bill to impose a tax of one farthing per acre on all lands granted for two years and

upwards, which the council disagreed to; that in 1768, a bill, nearly the same, had passed both houses, but was negatived by the late governor. They remarked on the continual opposition they received from the council. John Day took his seat in place of Charles Procter, deceased, for the township of Halifax. The seat of Joshua Lamb, for Onslow, was vacated for non-attendance. James Simonds took his seat for the county of Sunbury. The assembly was adjourned on the 12 November to the 5 December. On the 23 December, the governor, Legge, closed the session with a speech, in which, referring to the provincial debt, he says: "How so infant a" "colony could incur so great a debt, and what advantages" "were supposed would be the effect of it, I am not at present" "informed, tho' I shall endeavour to search out," &c. The assembly was then prorogued to 1st February next.

James Simonds, of Sunbury county, on the river St. John, sent complaints to Halifax against Israel Perley, which were referred to messrs. Winniett, Lovett and Williams, of Annapolis Royal, to enquire into and report upon.

In the beginning of November, 51 carpenters, belonging to Halifax, were sent in the sloop Nightingale, capt. Gibbons, to Boston, to be employed in building barracks there. The general feeling of that town was so hostile to the course the crown was pursuing, that resident tradesmen could not be procured for this purpose.

Governor Legge, reporting on Cape Breton, says, that the justice of peace (Cottnam) is often interrupted in the exercise of his duty, and 'they are in general such a lawless rabble,' 'that he is in continual apprehension of danger whenever he' 'puts the laws in execution.' Few of these persons had ever obtained licenses for the fishery—none of them any grant. The French Acadians, 502 in number, had taken up their residences without any permission from the government, in such places as suited their convenience. The greatest number are settled on the isle Madame, and St. Peters, Cape Breton. A return, dated 17 Oct'r. 1774, is enclosed, shewing the population of the island of Cape Breton at 1011 whites and 230 Indians.

Governor Legge explains the question of land tax. The New Englanders removing at expense of government, got the vacated French lands, enough for each family to support from 30 to 50 head of cattle. They had now for twelve years enjoyed those estates, and never contributed a shilling to the expences of government. The pressure of the proposed tax would fall on the disbanded officers and soldiers, to whom wood lands had been granted for their services, who would have to pay more by far than the settlers. The six months' notice would be a mockery, and the absent owners would not only lose their lands, but the price of lands would be reduced, and make the intended bounty to the army valueless. The council had conceived that the ability of the subject to pay was the true scale for measuring taxation, and had proposed a valuation of real and personal estate as a basis for it, but the assembly rejected this plan. The assembly are supposed to be inflexibly wedded to the scheme of taxation by the acre, and the governor asks for royal instructions to forbid an assent to so unjust a measure as taxing wilderness land, from which no profit can arise.

The circuits of the supreme court were first established in this year, by an act, which authorized the court to be held at Horton, Annapolis and Cumberland,—to sit not beyond five days at each of those places. Two judges were required to be present. The terms at Halifax were 14 days each, with liberty to sit six days longer, if necessary.

The quorum, or number sufficient to do business, in the house of assembly, had been settled at twelve members present, speaker included. Difficulties and delays arose for want of the prescribed number. Some of the members, from poverty, were forced to go home. Legge says the greater part were unable to support the charge, and many of them for that reason never attended. He requested the four eldest members of the council to suggest a remedy. They reported as best to add two members more for the county of Halifax, and two for the town, and to reduce the quorum to nine, speaker included.

It would seem the governor was ordered to represent the

particular circumstances before making a grant to a Roman Catholic. That the forfeited lands are included in those that are to be sold; that he may grant temporary licences of occupation to fishermen; that his permission to Michael Flannigan and his associates to reside on the isle of Sable, has been approved of by the king. He says the land is indifferent there being a collection of sand covered with a coarse kind of grass. Presses want of a suitable attorney general,—"timely to pre-" "vent those glaring and presumptuous attacks on the prero-" "gative of the crown, as at this time is practised in all the" "other colonies." Rum from the continent stands now charged with a duty of ten pence, and all molasses at 5d. a gallon; and whatever is brought from the sugar colonies, purchased with two-thirds of the produce of this province, is duty free. Hopes great advantages in trade from this change. Several vessels fitting out for the West Indies. The orphan house is refitted, and made comfortable. His recommendation of Mr. Tonge was "more from the sentiments of his friends than "from any real knowledge of my own," and he did not intend it to interfere with Mr. Creighton's appointment. He now regrets it, as Tonge opposes the council this session, and accuses them for not passing the tax on wild lands, and he now withdraws his recommendation for that and many other reasons. (The lords of the treasury disapproved of his proposal of applying the quit rents to making roads.) Nov'r. 29. Mr. Richard Gibbons, many years coroner for the county of Halifax and collector of license duties, died.

APPENDIX TO CHAPTER XXXVII.

(1.)

[*From Mr. Morris' report to governor Legge in* 1774.]

Mr. Morris, in his letter or report, states "that the acts of parliament relative to the preservation of timber for masts had been very ineffectual in the colonies." The pine timber gets destroyed by the lumber trade. Proposes to reserve entire

tracts of land. "The woods and timber among which pines grow, are very neces-
"sary for their protection during their growth, and in a great measure prevent
"their destruction from gusts of wind, the pine towering with great height above
"all other timber trees. From the best observations I have been able to make
"during a residence in this province for almost twenty-eight years, in the many
"excursions into the several parts of this province, more especially the peninsu-
"lar of Nova Scotia, (I mean that part that lies between the bay of Fundy and
"the Ocean), no pines fit for masts are to be found, nor other pines interspersed
"here and there that will grow to be fit for such use. By the storms of wind
"from the sea, as the pine towers above the other trees, it suffers much, either
"by breaking their tops, or otherwise twisting and shaking their bodies, so that
"the lower part of their stocks are full of shakes, which spoil it for a mast."

"But on the river St. John, above the present settlements, following the course
"of the river, and on the other rivers flowing into it, are great quantities of pine
"trees, at present fit for masts, and great quantities of others growing into that
"state, that being so far within land, protected by growth of other timber and by
"hills, and remote from those violent gales which infest the sea coast, will be the
"most effectual reserve for such purposes. I am therefore of opinion, that a re-
"serve of all the lands on the river St. John, above the settlements for the whole
"course of the river at least twenty-five miles on each side, will be the most
"advantageous reserve to the crown of any lands within this province, especially
"as the river is navigable for boats and rafting of masts the whole course of it,
"as also for rafting of masts in the several branches of it; and in this tract is
"contained a black spruce, fit for yards and topmasts, and other timber fit for
"shipbuilding."

"The island of Cape Breton is principally forest lands, Here grow the great-
"est quantity of a species of timber called by us black birch. The wood of this,
"tree is firm, close grained—in color resembling the mahogany, but stronger and
"more substantial. It is used here in shipbuilding, and has been found to be
"more durable than oak, especially for such parts of vessels as lie under water,
"and for planks. It grows in form and shape much like the oak—in bigness,
"commonly about nine or twelve feet in girth. The main stock grows generally
"from twenty to thirty feet before it branches. The branches are large at the
"joining the main stock, making excellent knees. In this island are great quan-
"tities of black spruce. This tree affords excellent masts for vessels about 100
"tons and under. It seldom grows above 2 feet in diameter clear of sap, but
"would serve for topmasts for capital ships, and the smaller yards. It is esteem-
"ed much stronger than pine, and very little heavier. This island abounds with
"other timber, such as beech, ash, maple, and all other timber common to the
"country. In this island are the most valuable coal mines. None beside these
"have been found worth digging." "I am therefore of opinion, that the whole
"island of Cape Breton should be reserved for the purpose of preserving for
"H. M. use, timber for shipbuilding and other uses, this island being the near-
"est tract of land to England where such quantities of timber are to be procured,
"and having many excellent harbors for the exportation thereof."

I am, &c. &c.,

CHARLES MORRIS,
Surv'r. Gen'l.

Halifax, May 21, 1774.

(2.)

[*From the Nova Scotia Gazette and the Weekly Chronicle of 4 Sept'r.* 1774.]

"To be seen at Mr. David Chamber's, at the sign of the Half Moon, A strange Beast, lately taken in the woods, near Windsor; it has wool, and is of the size of a sheep; its head and nose is like a moose; its neck stands awry. It will be shewn betwixt the hours of 10 and 3 o'clock, at six pence each.

Sales of real estate are advertised to be held at taverns, between 6 and 7 in the evening.

Sittings of com'rs on insolvent estates at tavern to receive claims, 6 to 9, P. M.

In an advertisement in same paper of 6 Sept'r,, 1774, is to be sold 400 acres, about a mile north of the Grand Battery, near the harbor of Louisbourg, "it "being part of the 20,000 acres granted to Mr. Gratian de Arrigrand, under the "great seal of Great Britain." Most part of the 400 acres is said to be cleared.

(3.)

In council, 25 July, 1744:—

"The order of His Majesty in Council, 3 Dec'r. 1766, directed to the Governor of this province, for granting to Andrew Watson, esquire, 20,000 acres, having been taken into consideration, advised that the usual grant do pass, in obedience to said order."

(4.)

Letter of governor Francis Legge to the earl of Dartmouth, Secretary of State.

Halifax, September 28th, 1774.

My Lord,

H. M.'s order in council to the governor of this province for granting 5000 acres of land to Mr. Sebastian Zouberbuhler, has been lately presented to me. It is dated the 17th February, 1766, and had not been presented to the late governor.

Mr. Zouberbuhler died a year and an half ago, and left all his estate, real and personal, to his daughter. She died within these few months, and by will left her possessions to Mr. Francklin and Mr. Pernett, who were appointed by Mr. Zouberbuhler his executors, and who, finding this order among the papers of the deceased, have applied that they may be intituled to the benefit. No mention is made in the will of this order.

I beg leave to observe to your lordship, that the late Mr. Zouberbuhler obtained a grant of 20,000 acres, the year before this mandamus in 1765, with the rest of the council, and then memorialed the board of trade for a confirmation with other members of the council. Their obtaining these grants were disapproved of, but they were allowed to take up 5000 each, on mandamus, which each of the councillors received, whereupon Mr. Belcher and Mr. Morris re-conveyed their 20,000 acres back to the crown, and have taken their 5000 acres, agreeable to their mandamus. But Mr. Zouberbuhler in his lifetime conveyed his 20,000 acres to James Boutineau Francklin, as it stands on record, which I suppose is the true reason for his not applying for this in his lifetime. I beg leave further to observe to your lordship, that Mr. Francklin now stands on the registry for upwards of

100,000 acres; the quit rents now behind hand and unpaid amount to about £500 stg.; that the greater part of his lands are allotted on the vacated settlements of the French, containing valuable tracts of marsh lands. There has been another application for Lady Littleton, on a mandamus, for 20,000 acres. The mandamus is in the name of Mr. Peach, her former husband. As between the time of taking out a mandamus and that of the person applying to the Governor for his grant, it may so happen that he may die, in which case, tho' there may be no doubt it was intended for him and his heirs, yet I can by no means run the risk of making a grant until I am specially authorized by his majesty so to do in such cases. Asks directions.

(5.)

POPULATION OF THE ISLAND OF CAPE BRETON, OCTOBER, 1774.

Louisbourg,	144
Mainadieu,	131
Little Bras d'Or,	30
St. Peters' Bay,	186
Arichat,	237
La Baleine,	39
Miré,	29
Chapeau rouge,	47
Petit de grat,	168
	1011
Indians,	230

Of the 1011 white inhabitants, there were 327 protestants and 686 Roman catholics. (This would make 1013.) There were of French origin 502, which leaves a greater number of English. The horned cattle were 697,—sheep, 222,—swine, 553. Vessels, 136. Fish in export, 26,010 quintals.

(6.)

Surveys of land on Mines bason, and the road leading from Partridge island to Cumberland, 93 lots, containing 26,551 acres; 112 lots on road from fort Cumberland to fort Belcher, containing 30,457 acres.

66 lots in township of Wilmot, containing 26,145 acres, were ordered to be put up for sale at Halifax on the first monday of June next, and printed advertisements to be used. The lots to be at 6d. sterling an acre, upset price, except the Wilmot lots, which were to be set up at 7d.

(7.)

[*From Halifax Almanac*, 1774.]

Province of Nova-Scotia:—

Governor—His excellency Francis Legge, esq.

Lieutenant Governor—The Hon. Michael Franklin, esq.

His Majesty's Council—

Honorable Jonathan Belcher,
Charles Morris,
Richard Bulkeley,
Joseph Gerrish,
Henry Newton,
Jonathan Binney,
Joseph Gorham,
Arthur Goold, and
John Butler, esquires.

Members of the House of Assembly :

County of Halifax—William Nesbitt and William Howard South, esquires; Mr. Robert Campbell and Mr. John Philipps.
County of Annapolis—Phineas Lovett and Joseph Patten, esqrs.
County of Lunenburg—J. Creighton and Otho Wm. Schwartz, esqrs.
King's county—H. D. Denson and Winck. Tonge, esqrs.
County of Cumberland—John Huston and Jotham Gay, esqrs.
Queen's county—William Smith and Simon Perkins, esqrs.
County of Sunbury—Charles Morris, junr., esqr.
Town of Halifax—Charles Procter and Thomas Bridge, esqrs.
Onslow—Mr. Joshua Lamb.
Truro—Mr. William Fisher.
Londonderry—J. Morrison, esq.
Annapolis—Mr. O. Wheelock.
Grenville—C. Prince, esq.
Lunenburg—Ph. Knaut, esq.
Horton—Ch. Dickson, esq.
Cornwallis—S. Willoughby, esq.
Falmouth—Edw. York, esq.
Newport—I. Deschamps, esq.
Cumberland—Jonathan Eddy, esq.
Sackville—Mr. A. Foster.
Liverpool—Seth Harding, esq.
Yarmouth—
Barrington—John Fillis, esq.

Secretary of the Province—Honorable Richard Bulkeley, esq.
Attorney general—William Nesbitt, esq.
Treasurer—Benjamin Green, esq.
Register—Arthur Goold, esq.
Chief Surveyor of Lands—Charles Morris, esq.
Provost Marshal—John Fenton, esq.
Receiver of his Majesty's Quit Rent—Joseph Woodmass, esq.
Deputy Auditor—John Breynton, esq.

Naval Officers :

Halifax—Winck. Tonge, esq.
King's county—I. Deschamps, esq.

County of Cumberland—J. Winslow, esq.
Annapolis—Thomas Walker.
Queen's county—
Lunenburg—D. C. Jessen, esq.
Louisbourg—George Cottnam.

Judge of the Court of Admiralty for Appeals—Jonathan Sewall, esq.

Provincial Court of Vice Admiralty:

Hon. Richard Bulkeley, esq., Judge.
Charles Morris, junr., esq., Register.
William Smith, esq., Marshal.

His Majesty's Supreme Court for the Province:

Honorable Jonathan Belcher, esquire, Chief Justice.
Hon. Charles Morris, esq., 1st assistant judge.
Hon. Isaac Deschamps, 2nd assistant judge.

Missionaries:

Rev. John Breynton, D. D.
Rev. Mr. Thomas Wood.
Rev. Mr. Joseph Bennett.
Rev. Mr. John Eagleson.
Rev. Mr. P. De la Roche.

CHAPTER XXXVIII.

1775. The year we now enter upon was remarkable for the beginning of the civil war in the older American colonies of England, terminating in about seven years in the separation of all the continental provinces from the mother country. Although Nova Scotia stood apart in a great measure, yet in many ways she was affected by this concussion. The first local occurrence of the year arose in a very singular enterprise of governor Legge, who conceived it his duty to rectify all financial errors that had been committed at Halifax in the preceding quarter of a century. In a letter he wrote to the earl of Dartmouth, 6 January, he refers to the 20th royal instruction, which requires the governor to take care that fair books of account "of all receipts and payments of the public" "monies be duly kept," and that copies should be transmitted to the lords of the treasury and to the board of trade. He says he found no such copies had ever been transmitted, but that the whole sums of money granted in this province from the beginning of the settlement to the present time. had been expended, and a debt incurred of more than £20,000. He goes on to say, that he thought it his duty to enquire into the state of these accounts, and by what means so great a debt was incurred, and to what the same had been applied. The parliamentary grants for support of the colony had been annually drawn and expended under the supervision of the governors and their councils, and the debt referred to was incurred by the general assembly in consequence of bounties they granted to agriculture and fisheries, and the expense of erect-

ing public buildings. How it could have come into the mind of Mr. Legge to make an inquisition of this kind into the past accounts of his predecessors in office, without any fact or charge of malfeasance or extravagance to lead to it, it is very difficult to imagine. As it inferred necessarily a suspicion of the character and conduct of all parties who were connected with the receipt and expenditure of the public funds for a long period of time, it was calculated to involve him in difficulties with most of the persons who had held any offices in the administration; and it will be seen in the sequel that it brought him into conflict and disfavor with the chief men of the colony. If charges of misappropriation of the public money, which seemed well grounded, had been made to him on any reasonable evidence, it would have been his duty to have laid them before the secretary of state or the board of trade and plantations, and they could have exercised their judgment as to the necessity of further inquiry. Governor Legge, in order, by his own statement, to rectify the accounts prior to his appointment, authorized commissioners whom he selected from the council and the house of assembly, together with the provost marshal, Mr. Fenton, "to make a full examination of all" "receipts and payments made in the treasury, and to examine" "all persons employed as collectors, that a full and perfect" "account might from thence be made, and that the whole" "might thereby be reduced into order, and transmitted home," "and this" (he says) "I apprehend also would have been of" "public benefit to the legislative body of this colony, who, I" "may say, have been, in a manner, strangers to the expendi-" "ture of the sums received and monies borrowed. The" "accounts having never been examined, nor all the vouchers" "for the payment of the same, tho' often requested by the" "house of assembly,"—"it having been suggested to me that" "the monies raised and borrowed had not been duly applied." "The commissioners for this purpose met, and called before them Mr. Benjamin Green, the present treasurer, and demanded of him the receipts and vouchers, and books of accounts, during the late treasurer's administration, who replied, that he had neither the books nor papers from the late treasurer, nor

did he know where they were. Application was then made by the commissioners to the widow of the deceased treasurer, who also denied her knowledge of any of the public accounts, but supposed they were destroyed by her late husband." Governor Legge says he was astonished and surprised. "I "suspected they had been wilfully concealed, and I had my "reasons therefor. I therefore thought it my duty to lay the "same before the chief justice, the attorney general and soli- "citor general, for their opinion, how and by what means the "same might be discovered and brought to light." He laid their opinion before the council, and enclosed the whole proceedings. He says he suspects "that undue measures have "been taken to conceal from the public the transactions of "persons of weight and influence in the assembly—that the "monies then applied for the payment of bounties passed in "such channels as they are desirous of concealing." He thinks "that the persons concerned in the undue appropria- "tion of the public funds have prevailed on the present trea- "surer and the widow to make this concealment." Speaks of opposition to governor, and "the traducing the character of" "lord William Campbell, their late governor, in a manner" "the most injurious to his private as well as public character." By a proclamation, dated 9 Jan'y., 1775, the governor offered £100 reward to recover the books and papers (previous to 1768) missing from the treasurer's office, and £500 to convict the offender.

In February, lord North moved a resolution to suspend the obnoxious acts of parliament in any colonies that would contribute satisfactorily to the common defence, but this proved too late.

The congress at Philadelphia transmitted their resolves and proceedings to the speaker of the assembly of Nova Scotia. One of the resolutions was to have no trade with a colony that did not concur in their measures. No notice was taken here of these despatches.

The civil war began by the march of some 800 or 900 royal troops from Boston towards Concord, distant 18 miles, on the 19 April. They were sent to seize ammunition and provisions

which the provincials had collected there. Their numbers were augmented by reinforcements. They encountered the militia at Lexington and Concord, and several of the provincials were killed. In this movement and the retreat, the killed, wounded and prisoners, on the king's side, amounted to 273, viz., 65 killed, 2 lieutenants and above 20 men made prisoners, a lieutenant colonel and several officers wounded, &c. The American loss was stated at 60 men, of whom near two-thirds were killed.

About this time, a ship with British merchandize, which had been compelled to leave New York, arrived at Halifax, where some of her cargo was sold and some stored, without opposition. Although threats of non-intercourse were held out against this colony, they were disregarded. Meanwhile many wealthy persons, who did not approve of the measures of their countrymen, were much dissatisfied with their open acts of rebellion, and expressed an intention, if the Americans continued obstinate, to remove to Nova Scotia with their vessels and effects. Boston, soon after the affair at Lexington, was invested by about 20,000 of the provincials. The king's troops were thus cut off from the supply of provisions. Governor Legge, on being apprized of this, sent expresses to the bay of Fundy, in order that provisions might be transmitted, and four companies of the 65th regiment were embarked for Boston on 30 April; and early in May, several vessels had arrived at Halifax, in which some of the families that could escape from the scene of civil war came on.

Governor Legge states to the earl of Dartmouth, May 2, that the auditors he had appointed found balances due the crown by several officers. Actions were commenced to recover the amounts against Mr. John Newton and Mr. Jonathan Binney, and verdicts obtained in the supreme court for £736 currency. He says it was supposed that thro' their influence among the common people, no just verdict could have been obtained, 'but a special jury was summoned on this occasion 'of the most credible of the inhabitants, and after very long 'trials a verdict in favor of the crown was found by them.'

Lieutenant governor Francklin, 4 May, gave his version of

the business to the secretary of state. He informed him that in 1764, under governor Wilmot, it was intended to form a fishing settlement at Canso; that lots were ordered to be laid out, and Mr. Binney was sent to regulate the fishery and trade, with a commission to collect duties, relying on the governor for a suitable compensation. In 1765, on the governor's suggestion, the council voted Mr. Binney an allowance of £75 *per annum.* Mr. Green, who held the command on Wilmot's death, approved of this. Lieutenant governor Francklin did the same.—Mr. Binney dispersed a large body of Indians at isle Madame, who had caused terror to the province, and he also induced the Acadians there to take the oaths. Lord William Campbell approved of his holding the appointment and allowance, and continued so to do from 1767 to 1773. "Mr. Binney did the duty for which this allowance was given" "him, and regularly every year settled with the treasurer," "deducting the £75 from the monies by him collected, and" "paying into the treasury the surplus, with the knowledge" "and approbation of the commander-in-chief for the time" "being." He says he understands that the jury, in making up their verdict, allowed him only £20 *per annum*, founding their opinion on votes of the house of assembly, notwithstanding these votes were neither concurred in by the council or assented to by the governor. He refers the earl to the 29th royal instruction, directing the governor and council to regulate all salaries. As to Binney's second case: He was appointed in 1768 collector of impost and excise at the island of St. John. He was promised £50 per annum for this, altho' the allowance on the face of his commission should not come to so much. This makes £50 or £60 in his favor. He is now called on to refund more than two-thirds of his salary for ten years back, amounting to upwards of £500, and to make good debts he did not collect. Lieut. governor Francklin comments on the extraordinary pleadings and conduct of the the two causes—thinks the dignity of government is lessened thereby, and that this proceeding is more objectionable "at" "this time, when a great part of America is in actual rebel-" "lion." Governor Legge, 5 May, says the auditors made a list

of officers of government deficient in accounting—that he finds £1130 13s. 10¾d. unaccounted for by the officers on this list. At the suggestion of Mr. Monk, he has constituted the judges of the supreme court to be a court of exchequer, the object of which was to use the equity side of the court to obtain discovery of funds from crown accountants.—"Mr. "Newton has paid into the treasury the sum recovered against "him; but Mr. Binney obstinately refusing, has been commit- "ted, and I was not a little surprised that he should, after his "commitment, send a notary public, demanding of me war- "rants on the treasury for some supposed services he had "done the Government prior to my appointment, and which "had been fully heard and tried and allowed by the jury, as "much as they judged sufficient." "The insolences I receive "is from the effects of an enraged party, who have conjointly, "for many years, been making spoil of the public revenue, and "are extremely angry at the prospect of a thorough detection, "which becomes now more and more necessary, to convince "the house of assembly that the monies they grant shall be "duly applied," &c. Has heard very lately that Mr. Morden, the storekeeper of ordnance and barrack master here, has applied for a mandamus for a seat in the council. Morden has opposed him, and is joined with "the party who have been" "called to account," opposes his appointment. "Five of the council, Mr. Henry Newton, Mr. Binney, Mr. Goold, all collectors of the revenue and accomptants in arrears, Mr. Butler, principal distiller here, in conjunction with Mr. Bulkeley, form a party to prevent any enquiry into the past depredations of the public funds." He purposes "that they should be imme- "diately displaced from their seats at the council board." Recommends for seats in council, Charles Morris, junr., member of assembly these 14 years; Rich'd. Williams, storekeeper, naval yard, and James Monk, the solicitor general; and he also recommends that Mr. Monk be made attorney general. In comparing the calm and dispassionate statement of Franck- lin, one of the most disinterested and honorable men who ever held office in this province, with the angry and suspicious language of governor Legge, we can hardly fail to find on

which side of the affair was the justice of the case. The crowning absurdity is the attempt to cast suspicion on Mr. Bulkeley, whose long services and the high character he always bore, should have excepted him from any remarks of the kind.

We are without any existing copy, that I could find, of the journal of the house of assembly for 1775, as well as for the several previous years; but in the newspapers of that year, the council records, and other sources, much information exists. 6 May. John Creighton, esq., was sworn in as member of the council, under the king's *mandamus*.

The fifth general assembly met at Halifax, its 7th session, monday, the 12 June, 1775. (This session ended 20 July.) Francis Legge, being governor, Charles Morris, president of council, William Nesbit, speaker, Richard Bulkeley, secretary of council, and Isaac Deschamps, clerk of assembly. The governor opened the session with a speech, addressing them as 'gentlemen of the council and house of representatives.' He tells them he has appointed "an inspector general over" "the several collectors"—of revenue. (This was Mr. Burrow, comptroller of customs and a member of the council.) He refers to his auditors and suits in the supreme court—recommends permanent provision to be made for the two assistant judges of the supreme court. He also says: "On so critical" "a conjuncture of affairs in America, I cannot forbear expres-" "sing the greatest pleasure and satisfaction I receive from" "your steady and uniform behaviour in your duty and alle-" "giance to the king, and in your due observance of the laws" "of Great Britain. Nothing can more advance the good and" "welfare of this people, nor render us more respectable to" "Great Britain, nor be more subservient to procure the favor" "and protection of our Royal and most gracious sovereign;" "as on the continuance of his protection our safety, our pros-" "perity, and the very existence of this colony depends." The answer of the council has this paragraph: "It gives us great "satisfaction, sir, that our conduct and behaviour in respect of "our duty and allegiance to the king, and obedience to the "legislative power of Great Britain, has obtained your excel-

" lency's approbation ; and we trust that we shall never swerve " from such principles, nor fail to give ample testimony of our " inviolable attachment to our most gracious sovereign, whose " government is so well tempered with justice, wisdom, equity " and moderation." The house of assembly also thank him for his address, and particularly for his remarks as to their loyalty, and assure him that the inhabitants of the colony, 'as well from the most sacred sense of gratitude and affection-' 'ate obedience to our benign sovereign, as to the laws of' 'England, will ever be induced to a strict allegiance to his' 'majesty, and a due observance of those laws.'

Some hay belonging to Mr. Fairbanks was engaged for the king's service, and was afterwards burned. Some one sent to Boston a statement that messrs. John Fillis and William Smith were factious, and rebelliously disposed, and that it was generally supposed that they were secretly instruments in the burning of the hay. On the 16 June, they complained to the house that they were greatly distressed by such unjust reports, and were unable to detect the vile traducers of their characters, begging relief from the house. Mr. Richard Cunningham, lately arrived from Boston, declared on oath that he was told by Mr. Apthorp, of Boston, that Mr. Smith was suspected to have been concerned in the burning of the hay lately destroyed near this town, and that it had been so reported to general Gage ; that he was told by lieut. Wilson and lieut. Despard, of the 59th regiment, that general Gage had a list of disaffected persons in this province, and that Mr. Fillis and Mr. Smith were the two first named in the list ; that the deputy quarter-master general, Mr. Shirreff, told him that he understood there were many disaffected persons in this province, and that he should tell all such persons as talked of government in a disrespectful manner, that if any attempt were made to prevent provisions being sent to the army, a sufficient force could be sent to destroy the towns in the bay of Fundy, and that the Indians should be set on them. The house having considered this, 'Resolved, that this house do' 'esteem Mr. Fillis and Mr. Smith to be dutiful and loyal' 'subjects to his majesty king George the third—that they'

'have acknowledged the supreme power of the British legisla-' 'ture—that they have behaved with decency and good order,' 'and the house is unanimously of opinion that the said reports' 'are base, infamous and false, and that the authors thereof' 'merit punishment.' (This was published in the N. S. gazette of 20 June.) A proposal to alter the *quorum* of the house of assembly from 12 to 9, and to add two members for the town and two for the county of Halifax, had been made by governor Legge on a report from the four eldest councillors. The board of trade thought if such an alteration were requisite, it should be made by an act of the assembly. This was communicated to the house on the 24th of June, and they replied by an address to the governor. They admit that it had sometimes happened that a quorum of the house could not be convened, but never when they were called together in June, which, they say, is the best time for travelling, and most convenient to the generality of the representatives. They think the proposed change dangerous, as five councillors are a quorum, of whom three would be a majority, and in case of nine being a quorum of the house, five of them would be a majority. So it might happen that eight persons combining would rule in both branches. They say, "With a dependant council and a" "majority of such a quorum of assembly, what might not an" "ambitious governor effect?" "Dictatorial powers may be" "necessary to quell insurrections, or to rule a disaffected" "people, but where no such principles exist, the exertion of" "such powers will create them."

Governor Legge says (letter 27 June to the earl of Dartmouth) he laid the 'audited accounts' before the house of assembly, 'but as the persons who form that assembly are,' 'the greater part, public debtors, I imagine it will produce an' 'exculpation of each other, and the public debt will remain' 'nearly as it is, being now at the amount of more than' '£26,000.' "I cannot omit mentioning to your lordship the continual and repeated efforts of a turbulent party, whom I mentioned in my former letters, to interrupt that harmony which has subsisted between me and the general assembly, whereby the public business is greatly delayed and interrup-

ted." "I beg leave to remark, that I have great reason to suspect that some copies of my letters to your lordship, and the answers thereto, have been taken from your secretary's office and transmitted here, in what manner obtained I am unable to say."

Mr. Shaw and Mr. John Hall, for county of Annapolis.
Phineas Lovet, junior, for town of Annapolis.
S. Archibald, for Truro.
Thomas Cochran, for Liverpool.

(The seat of Mr. Crawley, for Yarmouth, was declared vacant.) Messrs. Gay and Scarr took their seats for county of Cumberland; John Newton, for Lunenburg, instead of Creighton, now in council; Mr. Monk, for Yarmouth; Sam'l. Rogers, for Sackville. Edward York's seat for Falmouth was vacated for non-attendance. (The board of trade disapproved of the land tax bill.) A bill was passed to issue bills of credit for a loan of £20,000, and a bill for relief of Jonathan Binney. The house passed a long address to the king and both houses of parliament, (presented by lord Chancellor Bathurst, Oct. 26.) This document I discovered in the "Parliamentary History of England," London, 1813, 18th volume, pp. 699–703. It is very long, and would occupy about 16 pages of this book, if given in full. They call themselves the representatives of the freeholders of the province, and 'your loyal and ever dutiful house' 'of assembly.' They speak of 'this dreadful and alarming' 'crisis, when civil discord and its melancholy consequences' 'are impending over all British America.' 'Actuated by the' 'warmest ties of duty and affection to the person and family' 'of our most gracious sovereign—animated with the firmest' 'attachment to the mother country—zealous to support her' 'power and consequence over all the British dominions, and' 'dreading a separation from her power and protection, as the' 'greatest political evil which can befal us or our posterity.'— 'Influenced by the principles of humanity, and the just rights' 'of mankind in civil society, we tremble at the gloomy pros-' 'pect before us. We feel for our gracious king—we feel for' 'our mother country, of which many of us are natives—we' 'feel for the British American race, once the most loyal, vir-'

'tuous and happy of mankind.'—They 'most humbly acknow-' 'ledge our gracious sovereign George the third, king of Great' 'Britain, the lords spiritual and temporal, and the commons' 'of Great Britain, in parliament assembled, to be the supreme' 'legislature of this province, and of all the British dominions,' 'and that it is our indispensable duty to pay a due proportion' 'of the expence of this great empire.' They say it is necessary to the peace of the empire that the taxes to be raised in the colonies and disposed of by parliament, should be of a fixed and unalterable nature, and that the proportion of each colony should be permanently fixed. They propose a duty of so much per cent. on all imports into the colonies, "not being" "the produce of the British dominions in Europe and Ame-" "rica, except bay salt," to be fixed every ten years, so as not to vary in value with the increase or diminution of gold and silver. If any aid beyond this should be required, they wish it to be obtained in the old way, by the free votes of the colonial assemblies. They ask for leave to pass a law, by which any one convicted of illicit trade should lose his right to sue in civil actions. They complain of the insolence of revenue officers, and wish them to be placed under control of the governor, council and judges. They offer as their opinion, 'that' 'no native of this province may ever be appointed a governor' 'or lieutenant governor in this province. The ambition of' 'affluent individuals in the provinces to acquire governments' 'have led to faction and parties, subversive of the peace and' 'happiness of the people, the good of the province, and the' 'honor of government. Probably the present disputes in' 'America may have been promoted by this course.' They ask to have the members of the legislative council appointed for life, and to have a property qualification of £1000—that no collector of customs or revenue officer shall sit in the council or in the house of assembly. They ask for triennial parliaments for the province and vote by ballot, and that officers of government may be prohibited from interference therein under severe penalties. That the judges may hold their seats during good behaviour. "We humbly pray that, after the" "decease of the present judges, all judges may be appointed"

"in England, and may not be natives of this province; we" "can trace the present unhappy disorders in America to the" "want of a regulation of this kind." They ask for a sheriff to each county, and to be delivered from a provost marshal of the province, and his deputies, whose power in elections they call absolute. "If we are not relieved in this particular, we can" "have no pretensions even to the name of freemen." They ask for a recorder of deeds for each county; that the governor and council and judges of supreme court may constitute a court of vice admiralty, without fees, and that two or more judges and a jury in supreme court may exercise all equity jurisdiction. 'We humbly pray to be delivered from the' 'oppression of practitioners in the law; and pray, that in all' 'civil actions, their fees, charges and perquisites, may be' 'limited to five per cent. on all sums declared for or defended.' They request that the power of the court of escheats should be confined to defaults in payment of quit rent only. 'This' 'house is sorry to observe, that most cruel use has been made' 'of this power of escheating lands, even to the depriving of' 'two old officers of the gratuity given them by your majesty' 'for near 40 years of military service, and that to gratify two' 'domestics of that governor who ordered the escheatments;' 'and at this time a tract of land is advertised to be escheated,' 'on which the proprietors have laid out near £4000.' They request that the assembly may be annually called together, and not be prorogued or dissolved while engaged in preparing a petition to the crown. This document closes thus: 'Most' 'gracious sovereign, we have unhappily experienced that the' 'redress of our grievances, and those requested regulations,' 'could not come from us in the constitutional mode of laws,' 'which must have passed a council, some of them without' 'property in the province or interest in our welfare.' 'May' 'the God of all goodness shower down on our gracious sove-' 'reign and his beloved family, every temporal blessing.' 'May the spirit of concord, justice and public virtue, direct' 'the councils of the British senate; *and may the father of*' '*mercies preserve constitutional freedom to the British race in*' '*every part of the globe.*' The memorial, of which the above

are select parts, was dated Halifax, June 24, 1775, and signed W. Nesbitt, speaker. Governor Legge says: 'I am informed' 'the house of assembly have secretly prepared an address to' 'his majesty, the contents of which had not been laid before' 'me. On the best information, it sets forth some pretended' 'grievances, but principally contains some projection for the' 'alteration of government upon the American system of' 'popularity, which, if attended to, may produce the same con-' 'vulsions in this as in the other provinces. I should other-' 'wise think they would not have concealed it from me.' [*Letter to the earl of Dartmouth, 27 June,* 1775.]

Some of the views expressed in this singular document appear very extraordinary now. Triennial parliaments and vote by ballot read strangely among the professions of dependance on the British parliament as then constituted. The hostility to lawyers and custom house officers, and to courts of vice admiralty, has been from time to time prevalent with some of our people. The wish to prevent natives of the province from filling the chair of government, or sitting on the bench of the supreme court, indicates a very different feeling from that now entertained. It is true, however, that in New York, Massachusetts, and other provinces, the desire to obtain the offices of governor, chief justice, &c., had long caused divisions and parties among the principal families. In viewing this document in our happy and tranquil condition, allowance must be made for the unhappy state of things just then subsisting on the continent. Discontent had changed into disaffection. Disaffection had culminated into open rebellion. Brethren had begun an internecine strife, and their blood was saturating the soil of New England. It is, therefore, not to be wondered at if we find the representatives of Nova Scotia filled with dismay and distress, and their views confused and darkened in the storm of a civil war so close to them. Aiming to reconcile loyalty and obedience with freedom and 'the just rights of mankind in civil society'—venerating the crown and the Imperial authority, and yet feeling for 'the British American race'—dreading the loss of union with Great Britain, and anxious for her favor and protection,

they yet evidently hope some course of reconciliation may be adopted to stay the destroying angel, and harmonize the members of the one great British family. Their expressions on this subject are truly noble and humane, and enable us to feel pride in our forefathers. If they could have seen in a vision the mode in which all the higher offices of our country are now filled, they would have entertained no apprehension unfavorable to the legitimate ambition of the natives of that land in which they were settlers and founders of communities.

It was on the 17 June that the second battle of the revolutionary war fought at Bunker's hill; and as the memorial of the house is dated 24th of June, it is more than probable that the news of this sanguinary engagement had reached Halifax by that time. This, coupled with the frequent arrival of loyal refugees, who were coming here, and taking the oath of allegiance, must have intensified the anxiety and agitation in every heart. To add to their troubles, the small pox was prevalent in Halifax about the beginning of July.

APPENDIX TO CHAPTER XXXVIII.

(1.)

New Jerusalem or Port Rosway, containing 100,000 acres of land, advertised 11 January, 1775, for sale at public auction, at the house of Mr. John Rider, granted to Alex. McNutt, but lately the property of Benjamin Gerrish.

(2.)

In council, 18 May, 1775. A list of Acadians in the township of Clare was returned by Joseph Winniett, esq., J. P. These had land (by order of government since 1768), and they had all taken the oath of allegiance. Lands were directed to be granted them in Clare, viz't.:

Jean Bastarasque,	360 acres.	Francis Como,	200 acres.
Justinian Como,	280	Jean Como,	240
François Como, jr.,	240	Joseph Gaudet,	200
Charles le Blanc,	280	René Gaudet,	80
Prudent Robisheau,	280	Joseph Dugas,	160
Frederic Bellivo,	120	John Bellivo,	200
Maran Bellivo,	80	Joseph Bellivo,	80

Ialarion Terriot,	200 acres.	Pierre Blanc, jr.,	160 acres.
Salvitore Como,	200	Frederick Come,	200
Charles le Blanc, jr.,	200	Charles Tebidau,	200
Peter Sonier,	140	René Sonier,	240
Claude Sonier,	320	John Melanson,	200
Amont Melanson,	200	Pierre Melanson,	280
Amont Lanoue,	200	Paul Dugas,	320
Evon Tibo,	480	Lewis Tibo,	80
Joseph Tibo,	80	Solomon Maillet,	360
William Johnson,	360	Etien Tibedeau,	200
Charles Maillet,	140	Joseph Boudrot,	200
Casmire le Blanc,	200	Pierre le Blanc,	200
Joseph le Blanc,	127	Francis Doucett,	285
John Doucett,	103	Joseph Doucett,	103
François Doucett, jr.,	110	Dennis Doucett,	204

(N. B.—The spelling of the names is thus in the record of council.)

(3.)

It was ordered in council, 6 May, 'that all persons in trade coming into this ' ' province to become inhabitants, from any part of America, shall be required ' ' to take the state oaths.' 18 May. Michael Lee, Robert Foster, Thomas Rotchford, Nathaniel Brimblecom, Robert Leech, Benjamin Bears, Benjamin Bowden, and George Lane, (from New England), took the state oaths. 20 May. John Prince, Samuel White, John Williamson, Samuel Russell and Robert Quin, from New England, took the state oaths. 26 May. John Fillis and William Ashton. 31 May. Jonathan Norwood, Jonathan Norwood, jr., Francis Norwood, James Norwood, Abraham Knowlton, Daniel Torrey. 5 June. Cornelius White, Gideon White, Enoch Rust, Jonathan Rich. 12 June. David Smith, Solomon Babson, Sans Standley, Joseph Barss, Benjamin Valpy, Obadiah Ayers. 20 June. Simeon Howard, the dissenting teacher, (who had been arrested at Annapolis on report from New England, of seditious discourses), and James Bradbury, of Liverpool. These persons were sometimes sworn before the governor sitting in council—at other times in the council chamber, before the governor, Legge, and one or more councillors. On 22 June, a proclamation directed them to be sworn before the magistrates.

(4.)

Crown Lands laid out in lots. 93 lots in Cumberland, 56 adjoining, 69 in Wilmot, were advertised for sale at auction in Halifax, in June, 1775. Upset prices of 6d. and 7d. per acre. Quit rent to be ½d. sterling per acre. *Mines* of gold, silver, precious stones and *coals, reserved.*

(5.)

[*From the Nova Scotia Gazette, published by Anthony Henry, Sackville street, Halifax, 21 March, 1775.*]

To be sold, A likely well-made Negro Boy, about sixteen years old. Enquire of the printer.

Thomas Pittman, in Irishtown, (corner of Pleasant and Morris street now), advertises garden seeds, the growth of Halifax.

Fishing lots beyond Freshwater brook are mentioned.

[*From same paper of 9 May.*]

A genteel curricle to be sold, with two setts of harness. Enquire of the printer.

23 May. 80 settlers arrived in 6 weeks from Hull, in the ship Jenny, captain Forster.

[*From Nova Scotia Gazette of 13th and of 20th June, 1775.*]

The members of Lodge No. 1 of Free and Accepted Masons of Nova Scotia, held at brother John Rider's, in Halifax, Do hereby give notice that they intend dining at their lodge rooms, on St. John's day, Saturday, the 24th instant, at 3 o'clock, where they will receive any visiting brethren who may favour them with their company.

*** Tickets to be had at the bar of said house.

The stewards present their compliments to such brethren as propose dining with the Lodge on that day, and request they will procure their tickets on or before the 20th instant.

THOMAS PROCTER, } Stewards.
JOHN GEORGE PYKE, }

(6.)

Halifax, January 24, 1775. Married, thursday last, John Newton, esquire, to miss Catharine Knaut, daughter of Philip Knaut, esq., of Lunenburg.

June 7, 1775. Mrs. Bulkeley, wife of the secretary, died. She was a miss Rous.

CHAPTER XXXIX.

On the 5 July, the governor issued a proclamation, forbidding all persons in this province from corresponding with or assisting the 'rebels' in New England, and directed the justices of the peace in the country to publish it, and cause it to be read several times in all places of public worship; and another proclamation, under an act of assembly, just passed, (15 Geo. 3, c. 4), forbidding arms, gunpowder, ammunition or saltpetre, being exported or carried coastwise, except by license from the governor.

There is a place called Machias, in the bay of Fundy, on its North shore, about twenty miles West of the modern boundary of Nova Scotia, (now of New Brunswick), at the St. Croix. It was called by the French Megays and Megeis. [*See 1st vol. of this work, pp.* 171–181.] It was part of ancient Acadie, which originally had the Kennebec river for its S. W. limit. The name is supposed to have been Mages, the French for the Magi, so designated as having been first discovered or visited on the holiday named in their honor. It was a custom with the French and Spaniards to name places after the saints' days. Thus there are so many St. Johns', St. Anne's, St. Margaret's, St. Paul's, &c., in these regions. At the outbreak of the revolution, in the first excitement, parties of Americans, by activity of movement, took possession of the forts of Ticonderoga, Crown Point, and other fortresses upon the great lakes, and the people in and about Machias, who were about 700 or 800 in number, actuated with similar zeal for the success of

the insurrection, obtained authority from the provincial congress of Massachusetts, then in permanent session, to adopt any warlike measures they thought fit against the king's troops and government. Their first movement was to attack and capture an armed schooner of the king's service, in which affair several persons were killed on both sides. This probably occurred about the beginning of June, as it is mentioned in a letter of governor Legge to the secretary of state, dated June 27. Encouraged by their first success, they planned attacks on Nova Scotia, and they first fitted out a sloop, to cruize against vessels from this province carrying cattle and hay for the relief of the British troops at Boston, who were closely invested by land by the provincial army now commanded by general Washington, the major Washington of the French wars of twenty years before. Alarm spread through the interior settlements of Nova Scotia, and applications were frequent to the governor for supplies of ammunition for the use of the militia. This request was granted, and for the trust of distributing it among the people, the council, 10 July, named these gentlemen—lieut. colonel Winniett and Mr. Williams, at Annapolis Royal—major Barron, Mr. Law, and the officer commanding the militia, in Cumberland—colonel Tonge, at Windsor, and colonel H. D. Denson, in King's county. On the 14 July, a letter from the lieut. governor, (Mr. Francklin), at Windsor, was read in council, requesting a supply of *arms* and *ammunition*, to be sent under an escort of troops, to prevent the depredations which he apprehended might be made in the bason of Minas by *pirates from Machias*. As nearly all the Royal troops had been sent to Boston, &c., there were at this time only 36 effective men in the garrison of Halifax, so Mr. Francklin was informed that the militia must defend the country. In Halifax, one subaltern, two serjeants and 24 privates, of the militia, were ordered to mount guard at the *town guard-house*, for the safety of the place.

Phineas Lovett took the oaths 14th, and next day, 15th, he informed the governor and council that persons belonging to Machias had questioned him as to the strength of the forts at St. John's river and Annapolis, and the inclination of the peo-

ple at the latter place, and that Stephen Smith, of Machias, delegate to the Massachusetts congress, said he had orders to possess himself at the fort at St. John's.

July 17. The house of assembly complained of the appointment of Mr. Burrows as inspector general of revenue, as illegal, and of the mode of his executing the office as being an obstacle to the public business. The session of the assembly terminated 20 July.

July 24. On the petition of Thomas Wood, Thomas Williams, William Shaw, Matthew Winniett and John Ritchie, of Annapolis, for cannon and ammunition for the fort, in consequence of the designs of the Machias people, 6 bbls. gunpowder, ball in proportion, and four 6-pounders, were ordered to be sent, to be under the care of Mr. Williams, the storekeeper.

Governor Legge, writing to the earl of Dartmouth, secretary of state, 31 July, 1775, informs him thus: "Our inhabitants "of Passamaquoddy and Saint John's river are wholly from "New England, as are the greatest part of the inhabitants of "Annapolis river, and those of the townships of Cornwallis, "Horton, Falmouth and Newport, some of which are not forty "miles from this town; that by reason of their connection "with the people of New England, little or no dependance can "be placed on the militia there, to make any resistance against "them; that many in this town are disaffected, on whom, "likewise, I can have no great dependency; that should such "an attempt be made, I dread the consequences. To con- "vince your lordship how alarming our situation is, it was no "sooner known that a quantity of hay was purchased for the "horse in Boston, than a stack of 8 or 10 tons, which happen- "ed to be in an open field, was maliciously set on fire and des- "troyed; that since that, the buildings in the navy yard have "been set on fire, but timely discovered and extinguished,— "and from the place it happened, where no fire is ever carried, "and near the magazine of powder, it is certain, without all "doubt, a malicious design to destroy that yard. The perpe- "trators have not yet been discovered. The exigencies at "present have required almost all the king's troops from hence. "There remain here only 36 effective men, as per the return

" enclosed. I have ordered these to do duty near the magazine " for its protection, and at the ordnance store, not leaving myself " a sentry. I have also ordered about 30 of the militia to do " duty at night, and patrole all the streets." He has issued proclamations for all persons coming into the province to swear allegiance, and for arresting disloyal persons. Apprehends the troubles in America will not be soon settled. They are arriving from all the colonies, and marching to join the Massachusetts rebels. Mentions a sharp action, in which the king's forces " succeeded, with the loss of some of their best " " men," so that none can be spared there for this place. Troops should be posted here to defend the " Naval yard " " and stores—the magazines—cannon, of which there are " " great numbers, and other ordnance stores, here and at " " Annapolis and Saint John's, to prevent, if possible, the " " attempts the *rebels* may make on this province." " I would " " propose to your lordship, that a regiment of 1000 men be " " raised for the defence of this province, to be composed of " " Germans, Neutrals and Irish, without regard to their reli- " " gion—might partly be raised in this province and partly " " in Newfoundland; and were such troops to be placed under " " my directions, I think I could be answerable for the preser- " " vation of this province from being subverted by the *rebels*, " " or being endangered by their connections with them."— " I beg leave further to observe to your lordship, that the " " colonies are, to a man, prepossessed with great prejudice " " against this province. They will not permit a vessel to " " sail from the continent with any kind of provisions, for our " " relief, which will straighten us beyond the hopes of redress, " " unless we can get a supply from Quebec." " It is only " " bread corn that will be wanting. The country and seas " " will produce other food sufficient." He tells his lordship, " as the house of assembly were composed of several persons disaffected to Government, and of the present debtors, who formed the majority, " two bills were presented me for my " assent, one in favor of Mr. Binney, the other in favor of the " other debtors." As the house undertook to settle and adjust these accounts, and framed bills of relief, (in Binney's case

contrary to a verdict and judgment), he has suspended the execution of these laws till H. M. pleasure be known. He sends Mr. Burrow home to lay before his lordship the state of the province, and has drawn on the agent for 100 guineas to defray his voyage. 1 August. The governor mentions a promise of 400 acres of land in and about the town of Halifax, for a public grammar school; also a grant to Mr. Shoolbred, at bay Chaleurs, recommended by the secretary of state. Governor Legge asks for himself "some small tracts above the" "town lots, upon the hill," (citadel hill)—"the island called" "George's island, and ten acres of ground round the battery" "upon the East shore," containing "in the whole about thirty" "acres, which I would request the favor of having granted to" "myself, that I may put them under proper cultivation. I" "would ask for those lands only upon the terms of surren-" "dering them to his majesty, should they be wanted for for-" "tifications." 6 August. He refers to an address from the house of assembly against himself. He says a committee of the house assured him it would be withdrawn, but he finds on their minutes they have directed it to be revised and sent to England. Hopes this will convince his lordship of the "malevolent designs of a disaffected party." Urges that greater power should be given to the governor over public officers, "and appointing to the council such persons as he" "can confide in." "Recommends this to be done at this "difficult and distressing conjuncture of affairs in America, "when all order and government in the other colonies is at an "end, and governors themselves become mere cyphers. The "contagion is spreading everywhere, and taking root even in "this province." Argues that no ill consequences can follow, as governors are amenable for their conduct to the king and his ministers; and an honest man will, for the sake of his king and country, and his own reputation, take care no just complaint shall be made against him. 2 August. At this time there was not enough flour in Halifax to serve for three weeks. The snow Elizabeth was impressed, and sent to Quebec for a cargo. 15 August. Francklin and Deschamps wrote from Windsor that the people of Machias designed to send

three vessels there to destroy their craft, in order to cut off supplies for the troops at Boston; and Francklin said "he" "has strong reasons to believe that a great part of the militia" "of the bay of Fundy had no inclination to oppose their" "countrymen in case of any attempt." 16 August. Captain Meadows, of H. M. S. Tartar, and capt. Duddington, of H. M. S. Senegal, attended in council. They proposed as the best and safest course, that the Tartar, the Senegal, and an armed schooner, should proceed to Machias, to destroy the enemy's preparations. Resolved, "that for the security of the Dock-" "yard in the absence of the Tartar, one subaltern officer and" "20 men of the 65th regiment do mount guard there this" "evening, and continue so to do until further orders; also," "that one subaltern officer and 26 men of the militia do" "mount the town guard this night, and continue so to do" "until further orders." In the evening the council again assembled, and learned that a descent on this province was intended from Machias. 23 Aug't. Benoni D'entremont and other Acadians complained of oppressive treatment from capt. Frost, of the militia. Lieut. McKinnon was ordered to go to Argyle, with rank of lieut colonel of militia, to put things to rights, and he was to be recommended for a captain's commission in the army. 26 August. All persons were called on to swear allegiance. Light infantry companies were directed to be formed, viz.: At Halifax, 100 men; Lunenburg, 200; Queens, 100; Clare, 50; Annapolis, 50; Cornwallis, 50; Horton, 50; Windsor, Newport and Falmouth, 50; Cumberland, 100; Cape Breton, 100; Isle Madame, 100; Truro, Onslow and Londonderry, 60;—total, 1010. Of those, there were to be French Acadians, at Halifax, 50; Argyle, 50; Clare, 50; Cumberland, 50; Cape Breton, 50; Isle Madame, 50;—in all, 300. Difficulties arising as to McKinnon's mission, the hon. Mr. Goold, colonel of the Lunenburg militia, offered to take the command, for which the council gave him their thanks. 28 August. The following persons took the oaths to government: Militia officers—Colonel Butler, major Scott, captains Vanput, Browne, Finney, Millet; first lieutenants, Pyke, Piers, Solomon, Clark, Fletcher; second lieuten-

ants, Tritten, Jacobs, Schwartz and Kerby, and adjutant Peters. Thomas Gerrish also took the oaths. 29 Aug't. The council directed the export of provisions to be stopped.

A number of men belonging to Machias, commanded by Stephen Smith, entered the St. John river in a sloop, in August—burnt fort Frederick and the barracks—took four men, who were in the fort, prisoners, and besides captured a brig of 120 tons, laden with oxen, sheep and swine, intended for relief of the troops at Boston, the property of a merchant there, and threatened an attack on Annapolis. Sept'r. 4. Sempill, one of the owners, and David Ross, one of the navigators of this vessel, appeared before the governor and council, present, the governor, and messrs. Belcher, Bulkeley, Newton, Butler and Burrow. Their statements confirming the previous intelligence, it was resolved to apply to captain Le Cras, that H. M. S. Tartar should go to Annapolis to protect the place, and that the admiral be requested to order two sloops of war to cruise in the bay of Fundy. On the 5 Sept'r., chief justice Belcher presided at the Quarter sessions at Halifax, and delivered a charge to the grand jury of the most extreme loyal character. The agreement of association for loyal allegiance, prepared by him, was then signed by all the councillors, judges, justices of peace, grand jurors, and others, and all the proceedings were published in the Nova Scotia gazette.—28 Sept'r. It was resolved to fortify the navy yard with temporary block-houses and pallisadoes. It was thought too late in the season to fortify citadel hill. It was determined to collect a force of 1000 men, with pay and provisions, for defence of Halifax. Four companies forming at Lunenburg—100 Acadians from Clare and Yarmouth, and two companies from King's county, to march immediately to town. Sept'r. 18. Mr. Burrows and Mr. Woodmass sailed for England. Joseph Gorham, now lieut. colonel commandant of the Royal Fencible Americans, arrived from England at Boston 7 September, and at Halifax 11 October. The general assembly met at Halifax on Friday, the 20 October, (5th general assembly—8th session.) The governor's opening speech referred to attacks on the province intended by the Americans assembled in arms

against government—recommended measures of defence, and such as might prevent scarcity of provisions, as demands of food for the navy and army were pressing, and it commended the loyalty of the legislature. The replies of both houses were in harmony with this address. James Monk, esq., took the seat for Yarmouth. The subjects of legislation this winter were, the preventing export of wheat—the regulation of the militia, and the asylum and protection of loyalist refugees. The scarcity of fuel in Halifax, owing to the quantities purchased for the troops, was the subject of an address to the house; and a petition to the king for leave to dig coals in Cape Breton was adopted. Pictou having above fifty families settled, the house applied to the governor for a writ to return a member. The session ended on 18th November.

In August, governor Legge had stated to the earl of Dartmouth that the troops in Boston were hemmed in by near 20,000 rebels, who were intrenched, and could not be attacked without irretrievable loss—that the victory of Charlestown (Bunker hill) was purchased by the English for a loss of 1000 of their best troops, killed and wounded. Such another victory would be almost fatal. They were thus without supplies, except from Nova Scotia. The Americans at Penobscot and Casco bay had 4 schooners and 1600 men, who intercepted vessels going to the relief of the troops, and menaced this province. He says he cannot depend on the militia, but is advised by general Gage to employ them. Proposes 1s. a day as their pay. "Your lordship will also perceive the absolute necessity there is of having the troops which are stationed here entirely under my command, and the expediency of the proposal I have made of making a regiment purely for the defence of Nova Scotia. The small number of troops here are insignificant and disobedient, of which your lordship will have examples in my letters to general Gage." "I must inform your lordship that there is not the least kind of defence about the town. We lay open to the country on every side—that the batteries are dismantled—the carriages of the guns all decayed, and they lying on the ground." In his letter of 2 October, he says, regarding his audit enquiry into the former expenditure of the colony, that,

failing to discover the missing books of the late treasurer, he had long since desisted from any further enquiry, as it appeared to be ineffectual. "I had kindled a flame difficult to allay." As his lordship had recommended, he left the matter to the assembly. The bill they passed found Mr. Binney debtor to the public for £186. (The judgment obtained against him in the supreme court, and on which he was arrested, was for about £800.) In connection with this prosecution, he says: "I acknowledge I did attend the court, but not with the least" "intention to overawe either on the one side or the other," "nor until I had previously sent the provost marshal to the" "chief justice, and received for answer, a seat should be pro-" "vided for me. Had it been improper, I should have taken" "it kindly of the chief justice to have been informed thereof." "I have, and shall at all times endeavor to cultivate unani-" "mity in H. M. council, and have never pursued any public" "measure till I had laid the matter before them for their con-" "sideration and advice. What I have offered to your lord-" "ship's consideration in respect of five of them, I thought at" "that time absolutely necessary for the interest of the colony." 17 Oct'r. A proclamation, by the king's orders, offered free grants of land in Nova Scotia (without quit rent for ten years), to American loyal refugees. Liberty to cut timber on crown lands and reserves, for export to the West Indies, and free export of coals thither, were also mentioned. Orders were also received to assist indigent "*fugitives*" from America, (called at that time loyalist refugees), with provisions not to exceed 6d. sterling daily allowance for each person, which would be paid for by the British treasury.

Frigates stationed by admiral Graves in the bay of Fundy prevented the rebels from making the attempt they designed at this time on Nova Scotia. Legge sent expresses to the river St. John, to engage the Indians there on the side of the crown. He could not obtain troops from general Gage until late in October, when two companies of the 14th and about 70 men of the 'Royal Fencible Americans' arrived. Colonel Gorham now reported 390 men in the garrison of Halifax, (4 Nov'r.,) but of these only 126 were returned as fit for duty.

The engineer, captain Spry, was preparing temporary works for security of the dockyard. If the war continued, Legge said it would be necessary to fortify Halifax. He transmitted an address from both houses respecting impressment of seamen, and suggests indulgence to the trade and fishery.—20 November, in a letter to the earl of Dartmouth, Mr. Legge repeats his request for a grant of £500 in aid of roads in the province. Annapolis, Cumberland, &c., may be attacked by the rebels—roads will be necessary to send troops in defence. The forts at these places should be repaired, and garrisoned, to prevent their being seized by the rebels, About £3000 would put the forts in repair, which, if done, he proposes to place 4 companies in the fort of Annapolis—4 companies in fort Cumberland, and 2 companies in fort Edward, at Pizequid, which, he thinks, would secure them. 27 Nov'r. Mr. Legge says to the secretary of state, "Upwards of 700 of the principal inhabitants of the county of Halifax, King's county and Annapolis, have not only taken the oaths, but entered into an association, acknowledging their duty and fidelity to his majesty, the supremacy of parliament," &c. The house of assembly have entered into a like association. 30 Nov'r. He tells lord Dartmouth that there are no provisions to be purchased here. "The trade with the colonies is entirely put an end to, and" "the inhabitants of this town" (Halifax) "as well as all" "other towns on the sea coast, are almost entirely destitute" "of provisions, and in the utmost distress on that account," "nor can any provisions of bread kind be expected from" "Canada 'till June next, if that province should remain then" "in the possession of the crown." Suggests that 1000 barrels of flour be shipped from Great Britain, and about 600 barrels of pork and some butter from Ireland, for the refugees. He will draw for £2000, and pay them in cash, to provide for themselves. A schooner arrived from Canso, and the master stated, in council, that he was boarded 20 Nov'r. by two large schooners. They examined him as to his cargo, (which was dried fish, belonging to Mr. Cochran, of Halifax;) they then determined not to molest him. Mr. Binney was passenger with him. The crews belonged to Marblehead. Each of the

schooners had about 80 men, armed with tomahawks, musquets, some cutlasses and some pistols, and had four 4-pounders, two 6-pounders, and 12 swivels in each schooner. They said they had a large ship, armed with 22 guns, lying between Canso and St. John's island; that the vessels fitted out from New England had taken 22 sail of trading and other vessels. They had taken a schooner bound to St. John's island.

The governor and council, 30 Nov'r., resolved that martial law be declared, and that a proclamation be issued for that purpose. 8 Dec'r. Strangers were required to report themselves to two magistrates, or be considered as spies; and innkeepers were ordered to give notice of the arrival of strangers. By this time the Americans had taken possession of Montreal. The crews of the two armed schooners from Marblehead had landed on the island of St. John, and carried off Mr. Callback, the commander-in-chief, and several officers of the government. An order passed, that no vessel should enter the N. W. arm, without special license. At a council, holden at Halifax, 15 December, present, the governor, and messrs. Belcher, Morris, Bulkeley, H. Newton, J. Binney, Jos. Gorham, Arthur Goold and John Butler:—George Henry Monk, marshal of the vice admiralty court, who had been sent to cape Sable, stated the capture of several vessels by American armed schooners —their landing at cape Fourchu, and making prisoners of the inhabitants; that 13,000 men had been embodied by the congress to subdue Nova Scotia, and particularly Halifax, but were deterred by the small pox from going there. Governor Legge was informed that the American cruisers had been specially charged to take him prisoner, if possible. C. J. Belcher gave the governor and council his opinion, that, without legislative authority, no person could be compelled to take any oath. This was in answer to a proposal to make every person coming into the province take an oath, acknowledging the supremacy of the British legislature. Several inhabitants of Yarmouth sent a memorial to the government, professing loyalty—stating that they were almost all of New England, where they had many relations; that two armed vessels, with pirates, of that country, had lately invaded their town, and

taken away some officers of light infantry, (militia;) that they were acquainted, if they would not oppose them, they should be unmolested; that they were unable to defend themselves, and therefore requested permission to go to New England, come to Halifax, or to remain neuter. The council were unanimous in rejecting this proposal of neutrality. They promised every possible measure for their protection, and resolved to apply to the admiral to station a ship of war at Port Rosway, (Shelburne), to protect that coast, and a ship in the strait of Canso. 22 Decr. Governor Legge writes to the earl of Dartmouth—"The winter is already set in very "severely; on that account think no attempt will be made by "the rebels this winter on this province." Speaks of the importance of Nova Scotia, as "it is the only settled province on "the sea coasts which has preserved itself from the madness "and contagion which has overspread all the other of H. M. "colonies." Orders were sent, authorizing governor Legge to raise, as he had proposed, a regiment of 1000 men. 26 Decr'. he says he had appointed the field officers and captains, and should name the subalterns as soon as he could find such as could be relied on. He had instructed the captains to raise men, and would send two of them to Newfoundland for that purpose. The bounty to each volunteer was 2 guineas, and 1½ guineas in necessaries, such as flannel shirts, leggings and trowsers. Asks for £10,000 to be sent him to pay the regiment, also for provisions, blankets, beds, &c., for their use. Capt. John Stanton, of the 14th regiment, is to be major.—29 December he tells the earl of Dartmouth "An officer of the 14th regiment is arrived here, who left Quebec the 9th of Nov'r. last, and that province in the utmost distress." He encloses an account of proceedings of the rebel army under colonel Montgomery. A schooner taken at Canso, and released by congress, arrived this morning. Mr. Calbeck, who was taken from St. John's island, came here in her. Sends a paragraph of a newspaper of Cambridge, N. E., date 21 Dec'r. "From which accounts your lordship will perceive the imminent danger, if not the total loss, of Canada, before this time." Asks for 500 drafts from different regiments, to serve in his

new regiment.—Whatever errors Mr. Legge may have committed from prejudice or passion, or from an inordinate love of ruling and dictating, we cannot deny his earnestness, sincerity and activity, in the preservation and defence of the British authority in this province. On the contrary, he deserves the praise of being indefatigable in carrying out the principles and wishes of the Imperial government in an open, manly way.

APPENDIX TO CHAPTER XXXIX.

(1.)

In council, 29 Sept., 1775:—

2000 acres af land, behind Birch Cove, were ordered to be granted to Charles Monk and Elizabeth Lucy Monk, on petition of their brother, James Monk, the same having been voted in council in 1766, at request of James Monk, their father, who, sometime after, died, having made improvements on the land he owned adjoining.

(2.)

30 Sept'r., 1775.

ESTIMATE OF EXPENSE OF PROVIDING IN BARRACKS FOR 400 MILITIA.

Fitting up barracks,	£100	0	0
600 blankets, at 15s.,	450	0	0
200 beds, at 10s.,	100	0	0
70 tin kettles, at 7s. 6d.,	26	5	0
100 cords wood, at 15s.,	75	0	0
50 lamps, and oil, at 6s.,	15	0	0
Provisions for 400 men—2 mo's., at 8d. per day,	800	0	0
Pay for 400 men, at 1s.,	1200	0	0
Pay for the officers,	480	0	0
Contingencies,	200	0	0
	£3446	5	0

(3.)

[*N. S. Gazette, Halifax, October* 3.]

Celsissimi epitaphium Alexandri Abercrombie Medicinae doctoris, qui ex hac vitâ discessit 31mo Martii, 1773, suae aetatis anno 48 vo. Viator anxie! Inter tumulos quid exploras? An ex cippis insculptis vitae exemplar. Hic asta; nullibi dignius inveniris; Hoc enim sub aggere sacro, tumulatus est univèr-

sim defletus, peritissimus Alexander Abercrombie, medicinae doctor, " Vir quem facilius quis mirare quam laudare possit," vir, vitae moribus, conditione, ardenti republicae amore, benevolentia insignis ; amicitia sacer ; Nulli prudentia, vel comitate secundus. Arte medica tanquam Galenus alter peritus ; Artem exercuit cautus, et eventu, sub Deo prospera : Pauperum tabernas aegrotorum ultro invisit, piè medelis aegrotos sanavit. Si pius, doctus, fidus amicus, benevolus, aemulandus sit. Abi viator ! Sis illi virtute vitae similis. aeque eris morte beatus, aeque omnibus charus, et deploratus. Proh Dolor ! Reliquiae pretii vix unquam satis aestimandi, sacre requiescite, usque ad coruscam resuscitationis et sanctis retributionis auroram ; sic lugens, se semper vovet amici sibi terque quaterque dilecti, memoriae, Provinciae Novae Scotiae ex Rege Praetor, nuperque locum tenens praefecti.

JONATHAN BELCHER.

(4.)

[*From the N. S. Gazette of Nov'r* 7, 1775.]

Wednesday last (Nov. 1) arrived his majesty's ship Roebuck, commodore Hamond, from England. In the above ship came passengers, Marriot Arbuthnot, Esq., commissioner, and Mr. Prouch, (Prowse), master intendant of his majesty's Navy yard here ; also lord Drummond, who, we hear, is going to his plantations in New Jersey.

(Hamond and Arbuthnot were afterwards lieut. governors of Nova Scotia.)

Dec'r. 3, 1775. 3000 acres of land in bay of Chaleur, granted to captain Hamond, of H. M. S. Roebuck, in consideration of his services in the late war as a lieutenant in the navy.

(5.)

Whereas his late excellency, governor Belcher, did, in and by his will, duly registered, charge his real estate with £50 sterling, for erecting a marble monument in memory of this able, meek, pious, amiable, admired governor, and the same not having been erected pursuant to his will, lieutenant governor Belcher, his only surviving son, hereby notifies all persons who have been purchasers of the real estate of governor Belcher, that the said sum of £50 remains a charge upon the same, and that orders are issued for recovering it from the purchasers, and in the meantime directions are given by the lieutenant governor for erecting a monument of Egyptian or Parian marble, of the value of £50 sterling, in pious, duteous memory of so deeply honored, beloved and dear a parent.

Halifax, October 9th, 1775.

CHAPTER XL.

1776. This year opened under circumstances unfavorable in a high degree for the British interests in America, and the prospects of Nova Scotia were just then especially gloomy. The English troops at Boston were still closely invested by the provincials; and their supply of provisions, chiefly depending on what could be procured from the bay of Fundy, was precarious and insufficient. They were apparently unable to break through the lines of the Americans, and if they had, the country there was hostile, and little could be gained by such a movement. An American army, under Montgomery, had overrun all Canada unopposed, and Quebec alone remained to capture. At this season of a very severe winter, the English there could receive no reinforcements or relief, and the fall of that city was generally expected. In Nova Scotia, rumors of an intended invasion were rife, and obtained general belief. Thus the disaffected, of whom we cannot conceal that there were some, became disposed to abandon their passive discontent, and on the first favorable moment to assume active enmity to the government. Their numbers, however, were not very great, and they were chiefly confined to one or two localities. In Halifax, the general feeling of all ranks was eminently loyal, the exceptions being very few, and even those, it is believed, went no further than to desire that the old colonies should be successful in defending the privileges of self-government, the denial of which had given rise to the insurrection, without aiming to extend the area of the conflict to

this province, or disturbing its existing connection with England. That such sentiments were to be found in some of the men in this colony, who were born and reared in New England, is not to be wondered at; but it may be safely averred that not one of the council or of the chief public officers partook of even this modified disaffection, or gave the slightest ground of a just suspicion of disloyalty, but they, on all occasions, acted up to the loyalty and obedience they openly professed. In the Western counties, the families from New England, who had settled on the vacated French lands, were attached to the crown, and free from a spirit of innovation.

Governor Legge, unfortunately, had early involved himself, by means of his fancy of auditing the money matters of government from 1749 to his own time, to discover and punish imaginary defaulters—had contrived to get into quarrels and difficulties, and imbibed a strong prejudice against every member of the council who either opposed his notions or failed to give him efficient support in enforcing them; and eventually attributed their not agreeing with him in all things to a spirit of disloyalty. He went a step further, and having once suspected these gentlemen, he extended his charges against all the people in the province who had migrated hither from the older colonies, as appeared by his frequent remarks in his letters to the secretary of state, in which he represents them as unreliable in the defence of the country.

On the 1st January, Mr. Legge writes to the earl of Dartmouth, that 'the great advances the rebels are making in' 'Canada, by conquering all the interior parts—investing' 'Quebec, which is supposed before this time to be in their' 'hands, and their determined resolution of making a conquest' 'of this province, are very alarming.' He says a law has passed to raise one-fifth of the militia, and he had been endeavoring to arm them, but had been just informed from Annapolis and King's county that the people in general refuse to be embodied. He has reason to think that every public advice given in council is counteracted in private, and every obstruction possible thrown in the way against arming the militia in the province; and the more the danger appears imminent, the

sentiments of the people alter as to their defence, and that none but troops in pay can be depended on for our defence in this alarming and critical time. He mentions his having proclaimed martial law, and that he had nominated a council of war, to consist of the commanding officer of the troops, the commodore stationed here, messrs. Morris and Creighton, members of the council, and lieut. colonel Denson, '*of my regiment.*' On these he relies for conducting the military defence of the province with secrecy and dispatch. He says that hitherto the *rebels* have had full advice of everything done here, and that every *principal person attached to his sovereign and his country* has been marked out to them.

Michael Francklin, the lieutenant governor of the province, writes to the secretary of state, the earl of Dartmouth, 2 Jan'y. He mentions his having held the office of lieutenant governor for near ten years, having frequently presided, and held sessions of the assembly, (the last in 1772), and having met the approbation of his king and his ministers. "This being the case, your lordship will no doubt be of opinion I had a right to expect from governor Legge, who now presides, that attention and confidence which the rank I hold under the king, and my experience and knowledge of the province and of the people entitled me to, but, on the contrary, I have met with every slight and neglect, and at times it has been accompanied with rudeness; but all this I have silently and patiently hitherto put up with, and have resided in the country, that I might avoid giving offence by opposing measures I could not prevent, and which my duty to the king forbid me to approve." "It is with the utmost reluctance I am now obliged to inform your lordship there is great reason to believe, and its confidently asserted, the governor has made representations of the officers of government, and that few or none of the inhabitants of this province in general, not even the officers of this government, but what are disaffected, and are inclinable to give countenance and assistance to the rebels now in arms against the crown. If it be true that governor Legge has made such representations, I do avow and assert that such representations are totally untrue, and without foundation, which can be

made appear by a thousand instances. It is very true governor Legge's conduct has been too oppressive, vindictive and ungracious to the people of the first property and influence, and in general to all ranks and degrees of people, — that he has lost the confidence and affection of the king's best subjects; and I am fully persuaded the number of disaffected in the province have been greatly augmented by his arbitrary and impolitic conduct. — I came to town to pay my respects to commodore Arbuthnot and general Massey, and to report the offers of my services at this alarming crisis, when we are threatened with an invasion, which will probably be attempted in the spring, but as I have no post in the military establishments of the colony, or the influence and weight of a peasant with the governor, I am deprived of the power of rendering any considerable service to the king. I thought it my duty to lay so much before your lordship, in vindication of myself and others."

On the 7 January, the Canadian sailed from Halifax to England. Messrs. Binney, Tonge, and several others, went passengers in her, and doubtless the representations against Mr. Legge were in Mr. Binney's charge, as he had been the most persecuted individual. 8 January. The governor suggested to the council the inexpediency of bringing the militia to Halifax, the regular garrison having been reinforced, and it was resolved to desist from so doing.

11 January. Governor Legge encloses to the secretary of state memorials from the inhabitants of Truro, Onslow, and Cumberland, against the militia law. He says that the same spirit subsists in all the out-settlements, and that it will require the most diligent attention to prevail upon them, and *prevent their joining with the enemy*, in case of invasion. The arrival of the 27th regiment, and of other detachments, had made it unnecessary to call in the militia. Complains of Mr. Binney's going to England without calling on him, or asking leave of absence. Hears that a memorial against himself has been sent, and hopes "all such secret and dark attempts will meet" "their due recompense." "My steady conduct shall be to" "preserve the colony against the secret attempts of H. M."

"enemies of every kind."—The petition from Cumberland speaks of the destruction of the fort on the St. John river, as "rather an act of inconsideration than otherwise." "Those of us who belong to New England being invited into this province by governor Lawrence's proclamation, it must be the greatest piece of cruelty and imposition for them to be subjected to march into different parts in arms against their friends and relations." "The Acadians among us being also under the same situation, most, if not all, having friends distributed in different parts of America, and that done by order of his majesty." They urge the distress of their families if they were embodied, having no means of support. Signed in Cumberland by 64 persons, Amherst 58, Acadians 51, Sackvile 73, December 23, 1775. The Onslow petition dwells on the hardships of the militia law, and the ruin to their families. It is signed by Joshua Lamb, and fifty-five others, inhabitants, 3 Jan'y, 1776. The Truro petition is like the last, and further urges the dangers of drawing off men from their settlements, which are exposed to attack. Signed by Samuel Archibald, and 63 others, date 3 Jan'y. 1776.

12 January. Governor Legge writes to the secretary of state, and informs him that the Somerset, captain LeCras, is going to England—the Roebuck to Virginia, and the frigate Cerberus only remains, which is on the careen. Speaks of the want of naval force for protection, rebel cruisers being continually on this coast,—says that 3000 quarters of beef had been shipped in this month for the troops from Nova Scotia, and some of it had fallen into the enemy's hands; and concludes that they will make an attempt on Halifax when they find it to be not protected by ships of war. 21 January he writes a *private* letter to the earl of Dartmouth, the secretary of state, in which he says, 'I have formerly wrote to your lord-' 'ship of the behavior of certain officers of this government—' 'of their views and motives; that, conducted by a turbulent' 'and ambitious head, they have exercised every power and' 'faculty to disturb the peace and tranquillity of this govern-' 'ment, of which I meet with fresh instances daily, but lately' 'with one of a most alarming nature. At a time when but a'

'small number of troops were here, it was thought advisable' 'in council that a number of militia should be collected to' 'add to the strength of this place, and the companies were' 'forming for this purpose when the general assembly met,' 'and a more general plan was proposed, to draw forth a fifth' 'part of the militia by ballot, established by a law, and orders' 'issued in consequence thereof; but before this could be' 'effected, I have the greatest reason to believe, from reports' 'I have received, that persons, enemies to H. M. government,' 'had industriously propagated a report that my intention was' 'to draw them to Halifax, and thence to transport them to' 'New England, and make soldiers of them. The conse-' 'quence of such reports inflamed the whole country, so that' 'many companies refused to assemble, and has been the' 'cause of these remonstrances, which have, in a public man-' 'ner, been transmitted to your lordship.'

The disaffection believed to prevail in Cumberland and Cobequid was discussed 15 Feb'y. by the governor and council, and it was advised to send about 300 troops to Cumberland, vessels to be hired at Halifax to carry artillery, stores, &c. to Windsor. The soldiers were to march from Halifax to Windsor, there embark for Cumberland, to take possession of the forts, as soon as the season permitted free navigation, and application on the subject to be made to general Massey. It was reported at this time to the government that treasonable associations were forming in Cumberland to invite the Americans to send an armed force there. Rumors of the fall of Quebec, and intended invasion of Nova Scotia, were very prevalent. No intelligence had been received from Boston for six weeks. It was supposed to be in consequence of that harbor being blocked up with ice, the season being very severe, and Halifax harbor having been shut up for one or two days.

Lieutenant governor Francklin represented that 300 men in Windsor, Newport, Falmouth, Horton and Cornwallis, and 200 in Cobequid and Cumberland, were ready to enrol themselves voluntarily as militia, and to enter into a formal association, under oath, for the defence of the province. The council, 8 March, advised that the lieutenant governor should

proceed to enrol them. Accordingly he enrolled two companies at Windsor on 21 March—one company at Falmouth, 22d —three companies at Cornwallis on the 27th, and one company at Newport on the 30th.,—(mentioned as enrolled by Francklin for his regiment of volunteers in ms. diary of Geo. Deschamps, of Windsor, in an interleaved almanack.)— 16 March, brigadier general Massey decided to send a party of fifty men, under command of a captain, to Cumberland.— Resolved, in council, "That the lieutenant governor be de-" "sired to proceed, as soon as possible, to that county, and" "there make a strict enquiry into the behavior and conduct" "of the inhabitants, and to make report thereof to the gover-" "nor; also, that he will apprehend all persons who, on due" "proof, shall be found guilty of any rebellious and treason-" "able transaction."

Governor Legge got 100 recruits in Halifax for his proposed regiment. He sent recruiting officers into the country, and a vessel with a captain, and three subalterns to Newfoundland, for the same purpose. As to militia forces, 100 Acadian French at St. Mary's bay had volunteered—70 men had volunteered at Lunenburg, under colonel Creighton,—and these, with the militia of Halifax, would make the number up to 400; but Legge says he cannot place much dependence on them. The number of families from the continent that came to Nova Scotia for refuge from the civil war, was not so great as had been expected. Only three families of these had sought relief from government, and governor Legge had, as yet, drawn for only £100 for this purpose. In the treasonable consultations held in Cumberland, there were present persons from the American continent, and about fourteen of the inhabitants of that vicinity had gone to New England, as, it was supposed, with the intention of inviting the *rebels* into Nova Scotia. [*Governor Legge's letter of* 18 *March*, 1776, *to the earl of Dartmouth.*]

The British forces, commanded by lord William Howe, who succeeded Gage, evacuated Boston on the 17 March, and the Americans, under Washington, immediately marched into the town. On the 30th March, a fleet, consisting of three men-of-

war and 47 transports, arrived from that place at Halifax, bringing the 17th regiment of horse, and a great number of the inhabitants of Boston, (1500 loyalists, with their families, are said to have embarked;) and on 1 April, transports arrived with troops on board, from Boston, (about 100 vessels were expected in the second flotilla.) General Howe sent brigadier general Robertson forward to Halifax, to provide quarters for the king's troops, who required accommodation for 200 officers and 3000 men, supplies of fresh provisions, and an asylum for the inhabitants of Boston, who had come hither for refuge. 2 April. The governor and council fixed certain prices, by proclamation, viz.: beef, veal, lamb, mutton and fresh pork, at 1s. a pound; milk, 6d. a quart; fresh butter, 1s. 6d. a pound, Halifax currency. General Howe complained, 17 April, that rents of buildings were doubled. Six troops of horse were sent to Windsor in the earlier part of April.

The chief justice, Jonathan Belcher, died 30 March, and the governor appointed Mr. Morris in his place.

On 22 April, at a council, present, the governor, Legge, and messrs. Morris, Bulkeley, Newton, Joseph Gorham, Arthur Goold and John Butler. The king's commission, appointing Mariot Arbuthnot lieutenant governor, in place of Michael Francklin, was read, and Arbuthnot took the usual oaths. A letter from the lords of trade and plantations, dated 27 Feb'y., was then read. They had considered two petitions to the king, referred to them—one signed by five members of the council, the other by several of the principal gentlemen and inhabitants,—containing charges against governor Legge, and a paper presented them by Mr. Binney, containing particulars of these complaints. They send Mr. Legge copies, and state that the petitioners will be confined to these charges. He is advised to collect proofs and depositions (for his defence on his arrival in England) without loss of time, and he is ordered to afford every facility to the complainants to procure oral and written evidence, and to exchange copies of proofs with them, so that the board may be able to report on the petitions.—Mr. Shoolbred, of London, asked for 3000 acres on the Ristigouche, where he had for many years carried on the salmon

fishery, which was granted. Mr. Morris was appointed chief justice, in place of Belcher, deceased. Mr. Arbuthnot entered on this government, disposed, as he states, to act with fidelity to the king, and to conciliate the people under his government. He writes to lord George Germain, (secretary of state), 25 April, that governor Legge's regiment consists of only 60 privates. He says, with regard to the defence of Halifax, that the ground is very uneven and extensive, and the king's yard (Dockyard) is entirely commanded by hills. Less than 2000 regulars would be risking much, if they were attacked, and there was an absolute necessity for troops to be sent to garrison Fort Cumberland, Annapolis Royal, and a few at fort Edward, at Windsor, 'for protection, with the help of H. M.' 'loyal subjects, who consist of English farmers, a sober, reli-' 'gious people, though ignorant of the use of arms, but will' 'afford every assistance.' He says the others are New England, and ready to join in any rebellion. But as most of the substantial people will be hearty in their duty, 500 men, quartered in the several posts on the frontier, will keep us quiet. It is to be observed that commodore Arbuthnot had imbibed the same prejudice that misled Mr. Legge in supposing that all the settlers from New England were disloyal, an idea wholly unfounded. None of the settlers of the province were under so great personal obligation to the crown as the farmers from New England, to whom the French lands had been made a gift; and when they came to Nova Scotia they were full of intense loyalty and affection to the British government, and were not mixed up with the troubles and discords that subsequently affected New England.

30 April. The judges of the supreme court, on their representation that their circuit to Cumberland, Annapolis and King's counties would probably be ineffectual, and attended with great danger to themselves, by being exposed to parties landed from piratical vessels in the bay of Fundy, fitted out by the rebels, were relieved from that duty, and the holding the court in these counties was deferred until the September term, by resolution of council, and Mr. Morris was sworn in as chief justice.

On the 12 May, governor Legge sailed for England. The next day, 13th, a council was held. at which there were present the hon. Mariot Arbuthnot, lieutenant governor, and messrs. Francklin, Morris, Bulkeley, Newton, Binney, Goreham, Goold and Butler, councillors. Mr. Arbuthnot assumed the administration as lieutenant governor. The resolution respecting the supreme court was so far rescinded as to direct them to hold courts in Annapolis and King's counties as usual, it appearing that nothing was likely to obstruct them.

Mr. Francklin, writing 4 May to secretary Pownall, in reference, it would seem, to his being superseded in the office of lieutenant governor, which he had held for 10 years previous, and to his services to government for the last 16 years, speaks of his numerous family. He says: 'I felt as a tender father' 'and as a good subject ought to feel, who receives displeasure' 'and disgrace instead of a reward for his services. As I look' 'upon Mr. Legge's situation as a very unhappy one, I shall' 'only say, that it is to be hoped, for the interest of the crown' 'and for the credit of his noble relative (the earl of Dartmouth)' 'that he may not be permitted to preside over this colony,' 'for his capacity, temper and disposition render him unfit for' 'a governor; and as I wish at all times to avoid placing an' 'additional weight on any gentleman already greatly loaded,' 'it was with very great reluctance, and in obedience only to' 'the lords of trade's commands, that I complied yesterday' 'with the summons of the complainants against governor' 'Legge, to answer, on oath, nine interrogatories, which I did' 'as tender as I could do consistent with truth.' (Promises his assistance to lieutenant governor Arbuthnot and general Massey, with whom he is on the very best terms.) 'Some time' 'before general Howe arrived from Boston, finding the militia' 'were disgusted with a late act of assembly, and that the' 'governor was not likely to raise men for his regiment, and' 'general Massey pressing me to use my influence to embody' 'men, I proposed to Mr. Legge to enrol a battalion of volun-' 'teer militia, to be ready to act under my command, separate' 'or in conjunction with H. M. troops, in case of need. The' 'governor approved, and sent me a commission, and between'

'the 21st and 30th March, 384 able-bodied men were actually' 'enrolled in the townships of Windsor, Falmouth, Horton,' 'Cornwallis and Newport.' He believes they now amount to 450, being more than 9–10 of all the able-bodied men in these townships. He doubts not of similar success in Cobequid and Cumberland, "although some few people in the latter have" "exhibited marks of disaffection." "I suppose 800 or 900" "men would by this time have been embodied, but that I" "stopped my hand, the commissions for the officers not" "having as yet reached me." It is scarcely necessary for" "me to tell you, that perhaps no other person but myself" "could have affected this salutary measure, for want of that" "confidence in the people to government, which it is the" "duty of the king's servants to preserve." (Acknowledges his obligation for the promise of a compensation.) Asks for "a permanent salary and emoluments equal to £500 per annum, and that to be given me in the following manner: £300 as lieutenant governor, and £200 as superintendant of Indian affairs;" that he should reside in the county of Cumberland, and that until Mr. Arbuthnot is removed or advanced, he should receive pay as colonel of the volunteer regiment of militia from 28 February last, the date of his commission, until reinstated as lieutenant governor. He had been ordered by governor Legge and the council to proceed to Cumberland, and a captain, 3 subalterns, and 50 men of the king's troops, were actually embarked to attend him, when the first division of general Howe's troops arrived at Halifax. "My influence in the county of Cumberland is very considerable, from the number of my own tenants, and a still greater number of inhabitants from the North of England, who were introduced into the colony through my means, and great part of the other settlers are under obligations to me for the very lands they occupy; and my having been a prisoner in the hands of the Indians in my younger days, and speaking French, have always given me a very considerable influence among the savages, and it is to be lamented that they have been too much neglected ever since Mr. Legge's administration, to the great concern of the king's servants here, and the frequent uneasi-

ness of the people." Fears if longer neglected, they may be seduced to act against us. 24 May. Lieut. governor Arbuthnot writes to lord George Germaine, acknowledging an order that the provincial regiment shall be limited to 500 men. He says: 'Several of the subalterns are young gentlemen who' 'have been discharged from ships of war to serve in this' 'regiment by the favor of governor Legge.' Same to the same: Halifax, 5 June, 1776. States "the dispersion of the "rebels from before Quebec, upon the unexpected arrival of "the 'Surprise' and 'Isis,' on the 6th instant, (Q. last), on "the moment the rebels were displaying ladders for taking the "place by escalade. On their appearance, the rebels fled in "the utmost confusion, and carried nothing with them but the "most miserable dread and apprehensions." This places Nova Scotia in security. Same to the same: 6 June, 1776. General Howe has taken the regiment of "Loyal Nova Scotia "Volunteers out of lieutenant governor Arbuthnot's hands."— In the beginning of June, general Howe embarked the troops he had brought from Boston, and went with them to New York, arriving at Sandy hook 10 June. He was reinforced subsequently by sea and land forces, under his brother, admiral Howe, and they landed their army near the narrows, 9 miles from the city of New York, on the 2d August. Meanwhile 2030 women and children, who had come with the troops, were left at Halifax, to be provided for; and the council, 3 June, directed Mr. Green, Mr. John Newton, Mr. Cunningham and Mr. Bridges to seek out out-houses and old buildings unoccupied, as a shelter for these derelict beings.

The American army, under Arnold and Montgomery, besieged Quebec, and attempted to take it by escalade in the beginning of December, 1775. Montgomery was killed, and the Americans, under Arnold, encamped through the winter. In the spring they retired, and by 18 June they had entirely withdrawn from Canada. The garrison of Quebec at the time of the attack consisted of 1500 men. The American force numbered only about 800.

The assembly met saturday, June 15, (5th assembly, 9th session.) Commodore Arbuthnot opened the session with a

speech, in which he says: 'His majesty has done me the' 'honor of appointing me to be lieutenant governor of this' 'province, to take charge thereof in the absence of governor' 'Legge.' (Arbuthnot was son of the doctor Arbuthnot, celebrated by Pope.) He expressed a hope to induce a number of settlers to give this colony a preference, because it was not only the most loyal, but he hopes would be found the happiest for good men to set down in. He anticipated the speedy putting down the rebellion, &c. Messrs. Brenton, Morris and Smith were the committee to prepare an answer to the lieutenant governor's address. The rev. Mr. Breynton, chaplain to the house, was desired to attend every morning to read prayers. The duties of impost and excise, collected at Halifax in the year ending 31 March, were £1837 17s. 8d.; due, £890 8s. 2d. License duties, £245 13s. 4d. Province debt, bearing interest, £21,148 11s. 8d. Whole balance against the province, £22,822 1s. 8d. June 21. It was resolved that the office of inspector and comptroller general of public accounts, established by governor Legge, was an unnecessary office, and not warranted by any law, and the lieutenant governor was prayed to do away with it. Saturday, June 22. An estimate passed in council, in which £150 each was stated for the assistant judges of supreme court. Jonathan Binney, esquire, petitioned the assembly, stating that he was arrested in May, 1775, upon the executions at the suit of the crown, for £574 19s. 2d., and committed to the common jail in Halifax, and was released 14 July by an act of assembly, which fixed the true demand against him to be only £186 7s. 7½d.; that Legge compelled him to give security for £574 19s. 2d. before he was enlarged. He had been put to expence by this prosecution, &c. The house resolved to allow him £186 7s. 7d., and set him clear of the judgments, to which the council agreed. June 25. On petition of John Newton, esqr., shewing that he had been compelled to pay £189 11s. 6d., the amount was credited back to him, the suit being considered neither just nor equitable. June 28. Seats were declared vacant for neglect of attendance, viz.: John Hall, county Annapolis; William Scurr, county Cumberland; John Allan, township of Cumber-

land; Samuel Willoughby, Cornwallis; Samuel Rogers, Sackville; James Monk, Yarmouth; Charles Dickson, Horton.—Saturday, 29 June. House prorogued to 1 August next. Ten acts were passed, one to grant 8 per cent. on all goods imported, not being the produce of British dominions in Europe and America, bay salt excepted, to be disposed of by parliament. It had a suspending clause, until H. M. pleasure should be known, but H. M. pleasure was never signified. This was drawn in connection with the address of the assembly, the year before.

Lieutenant governor Arbuthnot, writing to lord George Germaine, 8 July, says, the assembly parted in much good humor, and that during the whole session they had discovered the most perfect disposition to conform to the law, and a most unfeigned duty to his majesty. He is satisfied of the loyalty of the gentlemen and the most wealthy of the inhabitants of the province, particularly in King's county and in Windsor and its environs. Four persons from Cumberland had gone to the continental congress, and delivered them a list of 600 names, as ready to join any rebels who might be sent among us. He thinks the number of the disaffected are exaggerated. Some persons had returned to seduce the St. John Indians. He had offered a reward for their apprehension. The Indians there had lately shewn insolence, interrupting trade, and taking a few cattle from the settlers. A body of rebels being reported marching to Petitcoudiac, major general Massey had despatched lieut. colonel Goreham and his corps to Cumberland. They are repairing the fort, and taking every step to secure the post. Massey was about to send two companies to Cobequid. Arbuthnot was going to visit Windsor, Cornwallis and Cobequid. General Howe and Admiral Shuldham left Halifax 11 June. Thirteen transports, containing Hessians and guards, came into Halifax, and left it 5 July. Part of the Hessians and 72d Highlanders had previously left in 15 vessels. The light cavalry were just re-embarking.

Mr. Hutchinson, late a judge in Massachusetts, who came here on the evacuation of Boston, had some very treasonable addresses reprinted in the Halifax newspaper, thinking to ex-

cite the resentment of the people of Nova Scotia, by shewing the openly avowed rebellion of New England. The council disapproved of this course, and Mr. Hutchinson apologized. A proclamation was then ordered, to forbid the reprinting treasonable documents. 17 July. The officers of ordnance were requested to buy in, for H. M. use, all arms, gunpowder, &c., whether prize goods or otherwise, offered for sale. 2000 acres of land, at Partridge island, were ordered to be granted to messrs. Avery, Bacon and Lockhart, on condition of their keeping up a ferry boat, with two men, to carry passengers and cattle from that place to Windsor, for fifteen years.— 13 August. Mr. Charles Baker, of Hillsborough, wrote to general Massey, giving him intelligence of a road made from St. John's river to Chepody, by the rebel army from New England; that 800 Indians were waiting at Chepody, ready to join them; that their declared intention was to demolish fort Cumberland, and then to proceed to Halifax, and there to destroy the Navy yard. This being read in council 13 August, lieutenant governor Arbuthnot said he would send the Scarborough, capt. Barclay, with what naval force he could collect, to St. John's river, thence to proceed along the North coast of the bay of Fundy to Chepody and to Cumberland, and thence to co-operate with colonel Goreham. Lord Howe having been victorious in a battle, 27 August, near Brooklyn, on Long island, sent some ships of war for protection of the coast of Nova Scotia. The American privateers, called by Arbuthnot 'rebel pirates,' had landed in all the defenceless harbors from cape Sable to very near Halifax, sent out vessels, and did other mischief. 9 October. General Massey having agreed to send eighty soldiers to defend the coasts, it was resolved, in council, to place 30 of them at Liverpool and 50 at Yarmouth; and several depredations having been committed by armed rebel vessels, it was resolved, 16 October, to fit out two armed vessels to pursue such pirate craft into shoal water, in order to defend the shores. 5 Nov'r. Rumors of invasion of this country, and of magazines preparing for that object in New England, being prevalent, it was decided to request Sir George Collier, the commander here of the navy, to send vessels he

could spare to Kennebec, Penobscot and Passamaquoddy, to obtain information of these designs. A nightly patrol in the town was proposed, and an enquiry into the characters and employments of all strangers coming here; also a schooner, of 50 tons, to be purchased and fitted out for coast defence.—7 November. All persons coming to Halifax were ordered to report themselves at the secretary's office: all suspected, to give security for good behavior. The fire engine men were exempted from parish duties and juries; and a night-guard of militia, of a sub officer, serjeant and corporal, and ten privates, together with two constables, to be nightly mounted at the court house, who were to patrole the streets from sunset to sunrise; a magistrate, by rotation, to be ready every night, and the patrol force and constable to be paid. At this time there were about 320 men in the garrison of Halifax.—17 November. On certain intelligence that Jonathan Eddy, (formerly member of assembly), William Howe and Samuel Rogers, had stirred up rebellion in Cumberland, and were actually before the fort with a considerable number of rebels from New England, and some Acadians and Indians, the lieutenant governor and council resolved to offer a reward of £200 for the apprehension of Eddy, and £100 each for the two others named,—also £100 for apprehension of John Allan, (who had also been a member of assembly), stated to have been deeply concerned in exciting this rebellion. It was also resolved to call in 50 militia from Cobequid and 50 from Lunenburg. 22 Nov'r. Resolved to send 50 militia and 50 regulars to Cobequid. 23 Nov'r. The H. M. S. Amazon, capt. Jacobs, had more than her complement of marines, those of H. M. S. Savage, lost at cape Breton, being on board her above her own number. He was requested to land the marines, to reinforce H. M. troops at Cumberland, but refused to do so. A party, with two companies of 'Royal emigrants,' left Windsor in a vessel, to reinforce fort Cumberland, but put back on account of bad weather, and leaking. An application had been made to the American congress from 'a certain part of' 'this province,' inviting them to send an armed force into it. The council offered £100 for conviction of each person con-

cerned. Arbuthnot says that the four inhabitants of Cumberland, who had gone to New England, returned to St. John's river, where they were joined by three inhabitants, a few Indians, and about 500 of the people of Machias. They invested fort Cumberland, which was garrisoned by lieut. colonel Goreham and his Fencibles, 260 in number. Of these, the rebels surprized and made prisoners 40 privates and some non-commissioned officers from the outposts, and by various accidents. Reinforcements were proceeding to Cumberland.

Mr. Gibbons was recommended to succeed Mr. Monk as solicitor general, and Mr. James Brenton to replace Nesbitt as attorney general. Arbuthnot says Gibbons is a captain in Legge's regiment of '*Loyal Nova Scotia Volunteers.*' Nesbitt, he states, is so enfeebled, that it is doubtful if he will live through the winter. Brenton is '*regularly bred*'—was four years solicitor general, &c.—thinks him the fittest person, and vouches for his loyalty. A small vessel, of eight guns and ten swivels, with 40 men, was purchased to convoy coasters. On 26 November, the Vulture, captain Feetus, landed two companies of marines, under major Batt, at Fort Cumberland, having brought them from Windsor. On the 28th, Batt marched out of the fort before day, in hopes of surprizing the 'rebels,' but they fled into the woods precipitately, and only two Indians and one white man were killed; immediately after which, having pursued the fugitives a proper distance, and burned some of the houses, &c., belonging to the Acadians, major Bott (Batt) returned to the Fort, upon which colonel Gorham issued a proclamation, offering pardon to those who would lay down their arms, and in two days upwards of one hundred did so, 'and the others (a few miscreants excepted) are dispersed.' The people of Horton, Cornwallis and Windsor, during this period, exhibited unmistakeable loyalty, entering with alacrity the fort, Edward, (Windsor), to garrison it, while the relief was sent to Cumberland. It was in this, the second year of the revolutionary war, that the Americans adopted and published their declaration of independance.

APPENDIX TO CHAPTER XL.

(1.)

[*Extracts from a memoir of Governor Belcher, in the American Quarterly Register and Magazine, vol. 2, (Philadelphia)*, 1849, *p.* 126 *to* 136, *signed J. B. M.*]

Andrew Belcher came from England in 1640. The hon. Andrew Belcher, his son, was born in Cambridge, 19 January, 1647, and removed to Boston in 1677. " He became the most opulent merchant of his time in Boston." " He was for " " some years an assistant of the colony, and was one of the council of safety " " appointed by the people on the occasion of the deposition of Andros, in 1689. " " He was afterwards a member of the council of the province, from May, 1702, " " until 31 October, 1717, when he died at the age of 70 years."

Jonathan Belcher, (son of hon. Andrew Belcher), was born in Boston 8 Jan'y., 1682,—graduated at Harvard College in 1699. After leaving college, commenced business as a merchant in Boston. He went to Europe in 1704—spent several years in England and on the continent, " where he became known to many " " eminent characters, and received the highest marks of their esteem." Returning to Boston in 1710, he " enlarged his business, and was generally successful " " in his commercial enterprizes. He also became an active politician, and a " " candidate for public honors. He represented his native town in the provincial " " assembly, and was afterwards a member of the council. In this body he " " became distinguished for his activity and devotion to the interests of the pro- " " vince. He had been, from his entrance into public life, the intimate associate " " of governor Shute, and an advocate of the measures pursued by him, " " and followed up his successor, governor Burnet. These measures were " " unsatisfactory to the people," and Mr. Belcher changed his ground, and joined the party in opposition to governor Burnet.

Mr. Belcher was chosen as agent of the province to repair to the court of Geo. the 2nd. On 28 May, 1729, while he was making his arrangements to proceed to London, the assembly sent up to governor Burnet, for approval, the list of councillors and assistants at that time chosen. The governor approved of all but two, one of the two being Mr. Belcher, who was designated by the governor as " a leader of the opposition." Belcher soon after left for England. While in England, he was appointed also agent for Connecticut. Belcher was supported by ex-governor Shute, and Burnet dying suddenly, the news reached London on 24 Oct'r., 1729. Belcher was appointed governor of Massachusetts and New Hampshire 29 Nov'r., 1729, and his commission bears date 18 Jan'y., 1730. He arrived in Boston 10 August, 1730.

25 August, 1730. Belcher met the assembly of New Hampshire at Portsmouth. Here he at first accepted an invitation, and resided at the house of the lieutenant governor, Wentworth, but soon became his enemy, from the following circumstance :—While Belcher was in England, and when it was uncertain whether he or Shute would be appointed to succeed Burnet, lieutenant governor Wentworth wrote complimentary letters both to Shute and Belcher. This coming to Belcher's knowledge while at Portsmouth, he resented it as an act of duplicity, and reproached Mr. Wentworth in severe terms, and refused to visit him. Nor did his resentment stop here. He limited Wentworth's compensation to certain fees

and perquisites, amounting to about £50 stg. a year, and removed some of Wentworth's connections from office, to make way for his own friends. Atkinson, who married a daughter of Wentworth, and at that time held the office of collector, naval officer, and sheriff of the province, was deprived of the first two, and in the last another person was appointed to share the emoluments. Atkinson, being somewhat of a wag, turned the latter into ridicule. On one occasion, the military being called out to escort the governor, all the officers of government were required to join the cavalcade. Atkinson appeared on a jaded horse, with only half his sword, as a badge of office. The governor reprimanded him for being late, when Atkinson apologized by saying that he had only half a horse to ride. Lieut. governor Wentworth died 12 Dec'r., 1730. Colonel David Dunbar, an Irish officer, who had been in command at the fort of Pemaquid, succeeded Wentworth as lieutenant governor of New Hampshire, 24 June, 1731.

Within a few weeks after Dunbar's appointment, he had procured a complaint to be drawn up against Belcher, complaining of his government as arbitrary and oppressive, and praying the king for his removal. This was forwarded to London, and paved the way for the appointment of Theodore Atkinson, Benning Wentworth, (son of the late lieut. governor), and Joshua Pierce, as councillors. Governor Belcher remonstrated against these appointments, and the two former were not admitted to the council board for nearly two years. They were, however, chosen to the assembly, and there exerted themselves in opposition to the governor. A committee of both provinces met at Newbury, 21 Sept'r., 1731, on the subject of the boundary, but separated without coming to any understanding. This determined the New Hampshire legislature to despatch an agent to London, and John Rindge, a wealthy merchant of Portsmouth, soon after sailed. While the matter was pending in England, a most bitter controversy was kept up between the parties in New Hampshire.

Governor Belcher, in his frequent letters to England, constantly represents Dunbar as a fomenter of sedition—a reckless and perfidious citizen. Belcher was involved in contests with the assemblies both of Massachusetts and New Hampshire, on the subject of paper money, the issue of which he opposed. Belcher appointed his son-in-law naval officer of Massachusetts, and was obliged to remove him at the king's order. Mr. Benning Wentworth was made a councillor of New Hampshire, under a mandamus, 12 Oct'r., 1734.

In 1737, commissioners for settling the boundary met at Hampton, N. H., 1 August, 1737, being councillors from New York, New Jersey, Rhode Island and Nova Scotia. A cavalcade of governor, &c., went from Boston to Hampton 10 August, 1737.

Governor Belcher was superseded in 1741.

William Shirley being made governor of Massachusetts, and Benning Wentworth governor of New Hampshire, their commissions were read 14 Aug't. 1741. On the death of governor Hamilton, of New Jersey, in 1747, Belcher was appointed to succeed him, and remained governor of New Hampshire, (*New Jersey?*) until his death, 31 Aug., 1757, in the 76th year of his age. His remains were deposited in the family tomb, near the entrance of the burial place in Cambridge. Two sons of governor Belcher were educated at Harvard college, vizt., Andrew, who graduated in 1724, was afterwards a member of the council, and died at the family seat in Milton, Mass, 24 January, 1771, aged 65, and Jonathan, who graduated in 1728, studied law in the Temple, at London—rose to some eminence at the English

bar—settled in Nova Scotia—was councillor, lieutenant governor and chief justice of the province, and died 29 March, 1776, aged 65 years.

Governor Belcher's first wife was Mary, daughter of lieutenant Governor Partridge, and she died at Boston 6 October, 1736, aged 51. He married a second time in 1748, and his widow, after his decease, went to Milton, Mass., and there resided with Andrew Belcher, esq., eldest son of the governor.

The Belcher mansion, at Milton, was burned in 1776, in the night, by accident. The widow of Andrew B., with the old lady, governor Belcher's widow, hardly escaped the flames. They were carried into the barn—placed in the family coach, and forgotten till all was over. Elliot, the biographer, says he took tea with those ladies in that barn.

(2.)

[*Lieutenant governor Arbuthnot to lord George Germaine.*]

Halifax, Nova Scotia, 15 August, 1776.

My lord,

I have taken an opportunity to visit the greatest part of the townships of this province, viz., Windsor, Horton, Cornwallis, and reviewed the volunteer militia in each, under the command of colonel Francklin. They have bound themselves by oath to defend the province against all invaders, to the amount of 450 men in the whole. Your lordship will conclude I embraced these opportunities of being acquainted with the magistrates and bettermost people, by dining together. When I asked the officers, it seemed to have a good effect, and they unanimously expressed much loyalty, zeal and satisfaction. After which, I proceeded up Cobequid bay, and landed at Londonderry, Onslow and Truro, three townships inhabited by the offspring of those Irish emigrants who first settled Londonderry, in the Massachusetts, Scotchmen and Irish people, who have been brought hither soon after the place began to be settled,—a strong, robust, industrious people—bigotted dissenters, and of course great levellers. But, my lord, how can it be otherways, for, to my astonishment, no governor had ever visited these poor people, or sent any person among them, so as to form a judgment of the necessary steps to make those men useful subjects; but, on the contrary, they have been left to be the parent of their own works. I found full 500 men capable of bearing arms, the finest men in the province, settled on the best land, and the most flourishing, because they are the most industrious." Had spent 14 days on this journey. He will send colonel Francklin there. Thinks this embodying the militia the most effectual method. Dwells on the failure of governor Legge's regiment, which has cost "in pay to the officers, and the contingencies, to an" "amazing amount, when it is considered that the whole consists of no more" "than 50 men, who are sent to the frontiers of this province to dig coals for" "the army, without either of the two captains to command them; and by a" "letter from lieut. Clark, who commands the party, I am informed they cannot" "be made to earn their pay even at that work. As to the officers, lieut. colonel" "Denson, my lord, is so emaciated with the gout, that I am confident that he" "has not been in the open air a week in the whole since his commission was" 'signed. Major Creighton refuses to take up his commission, and the cap-" "tains, none of them ever served in any army, except captain Studholm. and" "are composed of lawyers and others, who have places in this place,—the sub-" "alterns are returned, most of them, to sea, so that upon the whole, as a useful"

" military corps, whether in point of officers or men, they will be found not to "
" answer the expense of raising them."

(3.)

[*From Anthony Henry's Almanack for* 1776.]

PROVINCE OF NOVA-SCOTIA.

Governor—His Excellency Francis Legge, esquire.
Lieutenant governor—The hon. Michael Francklin, esquire.

His Majesty's Council :—

Hon'ble. Jonathan Belcher, Charles Morris, Richard Bulkeley, Henry Newton, Jonathan Binney. Joseph Gorham, Arthur Goold, John Butler, James Burrows, and John Creighton, esquires.

Members of the House of Assembly :—

County of Halifax—William Nesbit and William Howard South, esquires ; Mr. R. Campbell and Mr. J. Phillips.
Connty Annapolis—Phineas Lovitt, and —— ———, esquires.
County Lunenburg—Otho W. Schwartz, esqr., and —— ———.
King's County—H. D. Denson, and Winck. Tonge, esqrs.
County Cumberland—Jotham Gay, esqr., and Mr. —— Scurr.
Queen's County—William Smith and Simeon Perkins, esqrs.
County of Sunbury—Charles Morris and James Symonds, esqr.
Town of Halifax—Thomas Bridge, esqr, and —— ———
Onslow— —— ———.
Truro—Mr. S. Archibald.
Londonderry—J. Morrison, esqr.
Annapolis— —— ———.
Grenville—Christo. Prince, esqr.
Lunenburg—Philip Knaut, esqr.
Horton—C. Dickson, esqr.
Cornwallis—S. Willoughby.
Falmouth— —— ———.
Newport—Isaac Deschamps, esqr.
Cumberland—John Allen, esqr.
Sackville—Mr. S. Rogers.
Liverpool—Mr. Thomas Cochran.
Yarmouth—James Monk, esqr.
Barrington—John Fillis, esqr.

Secretary of the Province—Hon. R. Bulkeley, esqr.
Chief Surveyor of Lands—Hon. Charles Morris, esqr.
Attorney General—William Nesbit, esqr.
Treasurer—Benjamin Green, esqr.
Register—Arthur Goold, esqr.
Provost Marshal—John Fenton, esqr.
Receiver of H. M. Quit Rents— —— ———.
Deputy Auditor—John Breynton, esqr.
Naval Officer—Winckworth Tonge, esqr.

H. M. Supreme Court :—

Hon. Jonathan Belcher, chief justice.
Hon. Charles Morris, esqr., } justices.
Hon. Isaac Deschamps, esqr.. }

Justices of Probate of Wills Court :—

His Excellency the governor, ordinary in chief.
C. Morris, junr., esqr., register.
County Annapolis—Joseph Winniett, esqr.
King's County—Isaac Deschamps, esqr.
County Lunenburg—John Creighton, esqr.
County Sunbury—James Symonds, esqr.
Queen's County—Elisha Freeman, esqr.
Cumberland County— —— ———.

Officers of Customs :—

Henry Newton, collector.
James Burrows, comptroller.
John Newton, surveyor and searcher.
Mr. Lewis Piers, established guager.

Collectors Impost and Excise :—

John Newton and Arthur Goold, esquires.

CHAPTER XLI.

1777. The various events of the American revolution—the attempt on fort Cumberland—the design against Halifax, only set aside by the fear of the epidemic small pox, and many other obvious causes, created a reign of terror in this province which continued to the close of the war in 1783. A clergyman, named Seecomb, who lived at Chester, and belonged to some dissenting church, probably a congregationalist or independant, had been brought before the council 23 Dec'r., 1776, charged with preaching a seditious sermon on 1 Sept'r. On the 6 January he was brought before the council a second time, and an affidavit that he had prayed for the success of the 'rebels' was produced, on which he was ordered to find security in £500 for his good behavior, and to be debarred from preaching until he signed a recantation. He had been selected in 1775 by Mr. Belcher, the chief justice, to preach a funeral sermon on the death of Mrs. Belcher. A colonel Simpson, of the river St. John, was brought as prisoner to Halifax, in consequence of some of the 'rebels' having gone to his house and sought refreshment, which he could not have safely refused them. It was also about this time that a young Irish gentleman, Richard John Uniacke, was sent prisoner from Cumberland to Halifax, on some alleged suspicion of being implicated in the rebellion there. He was soon after released—went to England to complete his law studies, and, returning to Halifax, was made solicitor general in 1782—returned to the assembly as member for Sackville in 1783—became successively speaker of assembly, attor-

ney general and member of H. M. council, having attained professional eminence, wealth and honors by great natural eloquence, talent and industry. He possessed much of the wit and humor for which Irishmen are often remarkable. His death took place in or about 1831. (I was a pupil in his office from 1814 to 1820.)

6 January. In council. Present: The lieutenant governor, and messrs. Francklin, Morris, Bulkeley, Newton, Binney, Goold, and Butler, councillors. It was determined that the "effects and cattle belonging to any persons who had" "appeared in arms, shall be seized, in behalf of govern-" "ment." General Massey was also requested to suspend the present payment of money due to any persons in the county of Cumberland for forage or supplies. Samuel Withered and Moses Delesdernieres, were both charged by Mr. Francklin with disaffection, and it was resolved to dismiss them from all employments they held under the government. In April it was resolved to tender the oath of allegiance in Cumberland to all who had not taken it, and to send Mr. Cunningham and Mr. Pyke (justices of peace) to Truro, Onslow and Londonderry, to tender the oath of allegiance to all the settlers there. The attorney general represented (16 April) that over 200 persons in Cumberland were accused of having been in arms against the government. Many had surrendered under proclamation, and several had since committed offences. He was ordered to prosecute the offenders for their subsequent misconduct. 5 May. The people of Truro, Onslow and Londonderry, with the exception of five persons, refused to take the oath of allegiance, which, being reported by the two magistrates sent there, the lieutenant governor and council resolved that those who refused should be prosecuted as *Popish* recusants. (It is to be observed that these parties were all Presbyterian protestants, of North of Ireland origin.)

In consequence of the dearness of provision, the export of sheep, cattle and swine was prohibited by proclamation for three months.

In council, 12 May. A number of escapes of criminals from the jail of Halifax, had lately occurred, and on 11 May "six"

" persons, who had been charged with being in arms against "
" the king, (two of whom were found guilty), had broke the "
" jail, and went off. It appeared the jailer was infirm, and "
" his wife took charge—that no orders had ever been given "
" for visiting the prisoners at night, and further, that the pri- "
" soners' shackles were so loose that they were taken off "
" without unrivetting." Whereupon the provost marshal was suspended, and Mr. Thomas Bridge appointed to act in the *interim.*

On Friday, 6 June, the assembly of the province met, (5th assembly, 10th session.) Charles Morris, president of council; William Nesbit, speaker of assembly; Richard Bulkeley, secretary of council, and Isaac Deschamps, clerk of assembly. Lieutenant governor Arbuthnot opened the session with a speech. He refers to successes of the king's forces, and prospect of the restoration of the royal power. Everything had remained loyal and quiet here, except in Cumberland, " where " " an insurrection had been excited by a few desperate people, " " who solicited and gained assistance from New England, " " and were joined by some Indians from St. John's river. " States that this attempt was frustrated, and the parties dispersed. The disaffected had laid down their arms, and submitted. The settlers there from Yorkshire, and some others, had evinced loyal attachment. He had sent Mr. Goold, one of the council, to St. John's river. Except three, who had fled, the inhabitants there and the Indians had submitted, and taken the oaths. Some expences had been incurred in these affairs. All the *old* debts were paid off—interest paid—recent debt lessened. 11 June. A member returned for Onslow was refused his seat; and 13 June, Mr. Samuel Archibald was refused admission as member for Truro, the house resolving that, by the refusal of the people to take the oath of allegiance, they had forfeited their right to be represented in assembly. 23rd. Resolved, that as soon as the judge's commisssions shall be during good behavior, permanent salaries shall be voted to them. 25th. The council negatived a bill for payment of members. A writ was ordered for Yarmouth, to elect a member in place of James Monk, esqr., who had

gone to reside at Quebec. The assembly was then prorogued to the 1 August next.

Mr. Francklin was appointed superintendant of Indian affairs in this province, by the British government.

On the 12 June, Arbuthnot writes to lord George Germaine, telling him of the Cobequid people refusing to take an oath of allegiance, and the consequent refusal of the assembly to admit their members. He is proceeding to an outlawry. He will find grand and petty juries to pronounce them guilty. He says: "I flatter myself, my lord, that I have altered the" "complexion of many things here, and I think I can root out" "the weeds, and leave a great number of loyal subjects." On the same date he mentions major Small, 2d battalion Highlanders, sent here by general Howe, as having been very useful. The assembly had met, and great harmony existed. Thinks disaffection will be scarcely to be found.

Twelve armed whaleboats from Machias had, about this time, entered the river St. John. The Americans endeavored to establish themselves there, with a view to another attack on the British posts in Nova Scotia, but a joint force of regulars and militia from Halifax and Windsor, under brigade major Studholm, of the 'Royal Fencibles,' and colonel Francklin, drove them away. It was then proposed to establish a post of 50 men at St. John, but it appears that it could not just then be done. The whole military force in this province in October, 1777, is stated as not exceeding 1300 men fit to do duty, viz.: 5 companies of marines, (about 600 men;) lieut. colonel Gorham's corps, 170 men; major Small's Highland emigrants, not 400, part being at fort Cumberland and part at Windsor; Legge's corps, 20 on board of a sloop, and 40 digging coal, at Spanish river, (Sydney.) There were 500 prisoners to be guarded at Halifax.

In October occurred the surrender of general Burgoyne's army, near Saratoga, to the American forces, under Gates, the most marked event of the campaign of 1777.

10. An order in council passed for the arrest of Malachy Salter, on a charge of correspondence with parties in Boston, of a dangerous tendency, and a prosecution against him for

unlawful correspondence with the rebels, was ordered.—22d Nov'r. Salter was allowed to give £1000 security for his good behavior, and to stand a trial in next supreme court, when he was acquitted.

APPENDIX TO CHAPTER XLI.

(1.)

[*Millan's Army List for* 1777.]

Nova-Scotia—				
Governor,	£1000	0	0	per ann.
Secretary Richard Bulkeley,	182	10	0	
Lieutenant Governor,	182	10	0	
Com'y. stores and provisions, (Annapolis Royal),	73	0	0	
Judge Advocate and Com'y. of Musters, do. } Freke Dilkes Hore, }	73	0	0	
Chaplain, William Neyle,	121	13	4	
Surgeon, Abraham Van Hulsh,	54	15	0	
Halifax—				
Fort Major,	73	0	0	
Barrack master, James Morden,	73	0	0	
Com'y. Musters and Judge Adv.,	73	0	0	
Placentia—				
Lieut. Governor, Lieut. colonel Joseph Gorham,	182	10	0	

(2.)

[*From the Nova-Scotia Calendar for* 1777.]

PROVINCE OF NOVA-SCOTIA.

Governor—— ——.

Lieutenant Governor—The Hon. Mariot Arbuthnot, esq.

His Majesty's Council:—

The Hon. Michael Francklin, Charles Morris, Richard Bulkeley, Henry Newton, Jonathan Binney, Jos. Gorham, Arthur Goold, John Butler, James Burrow, and J. Creighton, esqrs.

Members of the House of Assembly:—

County of Halifax—William Nesbitt and W. H. South, esqrs. Mr. John Philippa, and James Brenton, esq.

County of Annapolis—William Shaw and Henry Evans, esqrs.

County of Lunenburg—Otho William Schwartz and John Newton, esqrs.
King's County—H. D. Denson and W. Tonge, esprs.
County of Cumberland—Jotham Gray, esqr., and Mr. Tho. Dickson.
Queen's County—William Smith and Simeon Perkins, esqrs.
County of Sunbury—Charles Morris and James Simonds, esqrs.
Town of Halifax—Thomas Bridge and Joseph Fairbanks, esqrs.
Onslow—Mr, Charles Dickson.
Truro—Mr. Samuel Archibald.
Londonderry—J. Morrison, esqr.
Annapolis—Mr. Ph. Lovett, junr.
Granville—Christ. Prince, esqr.
Lunenburg—Ph. Knaut, esqr.
Horton—Jos. Pierse, esqr.
Cornwallis—Jn. Chipman, esqr.
Falmouth—Jer. Northup, esqr.
Newport—Is. Deschamps, esqr.
Cumberland—Mr. H. King.
Sackville—Mr. Rt. Foster.
Liverpool—Mr. Tho. Cochran.
Yarmouth—J. Monk, esqr.
Barrington—John Fillis, esqr.

Secretary of the Province—Honorable Richard Bulkeley, esqr
Chief Surveyor of Lands—Hon. Charles Morris, esqr.
Attorney General—William Nesbitt, esqr.
Solicitor General—James Brenton, esqr.
Treasurer—Benjamin Green, esqr.
Register—Hon. Arthur Goold, esqr.
Provost Marshal—John Fenton, esqr,
Naval officer—W. Tonge, esqr.
Judge of the Court of Admiralty for Appeals—Jonathan Sewall, esqr. His deputy—James Brenton, esqr.

Provincial Court of Admiralty:—

Honorable Richard Bulkeley, esqr., Judge.
Charles Morris, junior, esqr., Register.
G. Henry Monk, Marshal.

Her Majesty's Supreme Court for the Province:—

Honorable Charles Morris, esqr., Chief Justice.
Isaac Deschamps, esqr., Justice.

(3.)

[*Mr. Franklin to lord George Germaine.*]

Halifax, Nova Scotia, 2 January, 1777.

In April he got Mr. Pownall's letter, dated 27 Feb'y., notifying him of the hanges by which he was superseded and Mr. Arbuthnot made lieutenant governor. Having always done his duty, he "felt more sensibly this alteration, altho' " Mr. Pownall assured me it was not meant to shew the smallest slight or dis- "

" regard, and that he was authorized to pledge your lordship a full and ample "
" compensation should be made, as soon as myself or any friends pointed out "
" what I wished for." He wrote to Mr. Pownall in consequence, " but as yet "
" no answer has come to hand." If what he asked for was not convenient to Government, he should readily relinquish those objects for " an appointment "
" in Great Britain or Ireland." He rests his claim on 16 years' service, 10 of them as lieutenant governor. " I was suspended, when no fault was found with my conduct, and at the very time I was industriously employed in taking every salutary measure for the preservation of this colony, and the pains I have taken did not prevent the late invasion on the frontier, yet it weakened the influence of the rebels very essentially; and having been a principal means of keeping King's county and other interior parts of the province perfectly quiet, and by throwing into Fort Edward, at the requisition of General Massey, a detachment of my regiment of volunteer militia, it enabled him to withdraw with safety the greatest part of that garrison for the relief of fort Cumberland, then invested by the rebels." " It may also be expedient I should represent to your lordship that the very active part I have taken from the beginning of the American troubles, has so far raised the resentment of the enemy, that they have come to a full determination to remove me out of their way, either by a seizure of my person or by assassination." " They have also disarmed and plundered my tenants and ravaged my estates, on whom I depended for the subsistence of my numerous family, —from all which your lordship will perceive I am in a most uncomfortable situation, being marked out by the rebels for destruction, and degraded by my Sovereign, and for no crime, unless it be one to have faithfully done my duty to his majesty and to my country." " What I have stated to your lordship are facts, well known to the Lieutenant Governor and General Massey, both of whose zeal for the king's service and good conduct have been very fully shewn in the late invasion and rebellion."

I have, &c.,

MICHAEL FRANKLIN.

CHAPTER XLII.

1778. Major Small, commandant of the 2d battalion of young Highlanders, went to England. Lieutenant governor Arbuthnot recommended him highly, and referred to him as to the necessity of establishing a post at the mouth of the river St. John, a place, he says, coveted by the rebels, who wished to settle the river with people of rebellious principles, after removing the present inhabitants, who were chiefly loyal subjects. 10 April. Bryan Finucane, esquire, appointed chief justice of Nova Scotia, arrived at Halifax; and on 1 May, was sworn in as member of council under the king's mandamus, to take his seat next to the lieutenant governor. Iron bound island was granted to Leonard Christopher Rudolf. The armed cruisers from New England, at this time attacked the coasting vessels of Nova Scotia, between cape Sable and Halifax;—many vessels were taken at the mouth of Halifax harbor. Arbuthnot was promoted to be a flag officer, (admiral.)

Mr, Francklin came from Windsor, his usual residence, to Halifax, in the beginning of June, with the view of taking steps to prevent the Indians of this province from attaching themselves to the enemy. He says in his letter to lord George Germaine, 6 June, "The several tribes of the Passamaquoddie, St. John's and Mickmack Indians, are not less than 500 fighting men. Part of those of Passamaquoddie and St. John's river, prior to my appointment, were in arms against the king and with the rebels, at the investment of Fort Cumberland, having been influenced thereto by letters from Mr. Washington, and by very considerable presents from the Massachusetts

Government; and there are now emissaries employed in the Western boundary of this province to detach them." "Belts of wampum, accompanied with the most liberal promises of presents and of French assistance, have been sent this spring to the Mickmacks, and I have every reason to believe, from undoubted authority, that at least 200 canoes of Mickmacks are now actually assembled at Mirimichy, in the gulf of St. Lawrence, and others are daily passing to join them. I am therefore under very great apprehensions the result of their meetings will be to break with us, and should that be the case, small as the numbers of the savages shall appear to be, compared with the king's troops that may be stationed in the colony, they will be capable of ruining the interior settlements of the country, at least the well affected part of it, which must reduce this capital and its inhabitants to the greatest straits, and destroy the valuable and important resources this province has already and may in future afford to all H. M. forces in America." He then urges that funds should be furnished him to prevent these evils. Major general Massey has assisted him in his department, and this has principally enabled him to keep the savages in order.

The 11th session of the 5th general assembly began at Halifax on 6 June. James Browne was returned for Halifax county, in place of W. H. South, deceased. Lieutenant governor Arbuthnot, in his opening speech, says: "Considerable" "progress has been made in reducing your debt."—"The" "expence of marching several bodies of militia to distant" "parts of the province for the defence of it, have exceeded" "what I hoped, but I have the satisfaction of acquainting" "you that, from applications I have made, the most consider-" "able part of it will be repaid to you."—"In case of a war" "with France, this province, I assure you, will be powerfully" "protected and defended, and I make no doubt of your rea-" "diness to stand forth and repel your enemies in the defence" "of your religion, liberties and possessions." 16, 17, 19 June. G. H. Monk, having written a letter to Mr. John Newton, a member of assembly, in menacing terms, of which Newton complained, he was considered guilty of a high indignity to the

house. He disclaimed any intention of offence, and apologized. 20 June. £200 each was voted to the two assistant judges of the supreme court; to the treasurer—salary, clerk, &c., £300; clerk of council, £30; clerk of assembly, £60; speaker, for expences of assembly, including chaplain, door-keeper and firewood, £100; superintendant of buildings, roads, bridges, &c., W. Tonge, esq'r., £150; to the treasurer, Mr. Green, for extra services, £50; to Jonathan Binney, special service at Canso in 1773, £50; to Thos. Bridge, from 8 Dec., 1775, to 12 May, 1776, care and reporting on strangers coming here. 23 June. The public debt of the province, due on notes and warrants, bearing interest, was stated at

	£17734	1	7
Balances, &c., to reduce the debt,	3234	1	7
Actual balance of debt,	£14500	0	0

Thursday, 25 June. M. Pierse resigned his seat for Horton, on account of age and infirmities. The member for Yarmouth had vacated his seat by non-attendance, and was supposed to have been lost at sea; and the member for Londonderry had absconded, and left the province. Writs were accordingly requested to elect members in their places. Lieut. governor Arbuthnot having been made a rear admiral, expected to be removed. He then closed the session, expressing good will, and praised the loyalty of the province.—In July, in order to provide men for the service of the batteries defending the harbor of Halifax, the lieutenant governor and council (11 July) resolved that at present no trading vessel should be permitted to leave the port. A party of eight men, (militia), with one non-commissioned officer and the adjutant, were ordered to be daily on duty. In August, admiral Arbuthnot returned to Europe in the Thetis. He took with him his eldest son, an officer in the army, who had been desperately wounded in the last campaign, having lost a leg and the use of an arm. A brigade of troops arrived from the river Clyde, at Halifax. They consisted of the 70th, Tryon's—82nd, the Hamilton, under col. Francis McLean—74th, the Campbell's regiment of Highlanders. With these were major Small's battalion of

Highlanders—major Souter's battalion of marines, and Goreham's and Legge's corps, making a total of 5000 efficient troops. The militia and Indian allies were under the command of messrs. Francklin and Tonge. (Tonge is stated to have been honored with the approbation and confidence of general Wolfe.) General Massey, who had been distinguished at Carthagena, Niagara, Martinico and Havana, commanded here in chief; (Fort Massey, in Halifax, was named after him.) McLean had held supreme command of the army in Portugal, which he resigned, to take charge of the 82nd, in the service of Great Britain. The presence of such large forces put an end to the anxiety that had long been felt for the security of the province. Commissioner Richard Hughes, having been appointed lieutenant governor in the room of Mr. Arbuthnot, was sworn into office, in council, on 17 August. In council, 21 August. A memorial came in from King's county, stating depredations committed there 'by pirates, who have landed' 'there in boats,' (rebel American privateers)—dreading to remain in such a situation, and praying for protection. It was resolved in council to apply to general Massey for a detachment of troops to be sent there. M. Bourg, a priest, having arrived from Canada, in consequence of Arbuthnot's request, made in December, 1777, for a missionary to the Indians in Nova Scotia, £50 was voted him, and £100 per annum promised. £100 was voted to Mr. Francklin, to be expended in presents to the Indians. Vice admiral Byron sailed with a squadron from Plymouth, on the 9 June. On the 3 July he parted company with them in a gale, being left alone in the Princess Royal. On the 18 August he espied d'Estaing's fleet of 12 ships, and abandoned his voyage to Sandy Hook, New York, and arrived at Halifax 26 August. He found there no ships of any force, except the Culloden, which had got there on 16 August. He proposed taking both vessels as soon as they could be got ready for sea, to join lord Howe. 23 Oct'r. 250 acres land, East side of Mahone Bay, was granted to David Ellis, who fled from Rhode island in 1776, for loyal principles.

A treaty of peace was made at St. John's river, near Fort

Howe, with the Malecites and Micmacs, on 24 Sept'r. [*See appendix.*] The cost of presents on this occasion was £537 2s. 9d., besides for the superintendant, Mr. Franklin, in keeping a table whilst he remained amongst them, (stated at £40.) This expense was ordered to be paid, and a claim made on the secretary of state to reimburse the province. The Indians on the St. John river applied for lands promised them in 1768. This request was agreed to, and £30 given them to build a log house there. Israel Perley, at St. John river, was removed from the commission of the peace.— 18 Nov'r. A battalion of Hessians was ordered to be quartered in the barns, outhouses, and public houses in the North suburbs, called German town. It was resolved in council to ask general McLean to send to Liverpool, Barrington and Yarmouth, soldiers, 50 men to each place, to prevent intercourse with the rebels, and to protect the coast from their depredations. Rev. Mr. Bennett, itinerant missionary, claimed £212 18s. 10d. for his services in 1776 and 1777, in conciliating the Indians. His demand was recommended to the lords of trade. 22 Dec'r. £34 was voted to Malcolm McIntire, Thomas Crow, John Chalk, John Sewlock, Lawrence Miller, Robert McMullen, Tully McKelly, Cornelius O'Bryan, Thomas Whitten, John Cribben and John McIntire, fishermen, residing at Herring Cove, for apprehending seven American privateersmen, who had escaped when their vessel was destroyed by H. M. armed brig Hope, at Canso. Illicit trade at Passamaquoddy with New England was complained of, and it was requested that a king's ship should be stationed there to prevent it.

APPENDIX TO CHAPTER XLII.

(1.)

[*Lieutenant Governor Hughes' Letter to the Secretary of State.*]

Government House, Halifax,
My Lord, 12th October, 1778.

He states "a treaty of firm peace and amity which I have had the good fortune to conclude and ratify on the 24th of September last, in the neighborhood of

Fort Howe, with the Malacites, Micmac and Mirimichi Indians, at my last meeting of the chiefs and other principal Indians of those tribes, who have now all taken, in a solemn manner, upon their knees, the oaths of allegiance to his majesty—given a belt of wampum to our superintendant, as a confirmation of their intention and promises, and gone through all the other usual ceremonies on the proclamation of peace." States the advantages of tranquillizing the minds of frontier settlers, and restoring trade with Indians.

"We were really fortunate in this business, for these savages had actually sent in a formal declaration of war to major Studholm, and returned the British flag to him at Fort Howe." He speaks of the "talents, zeal and diligence of the Hon. Mr. Francklin, our superintendant for Indian affairs, to whose discreet conduct, and steady perseverance, assisted by major Studholm and M. Bourg, the priest, we owe the success of this treaty." He says the Indian chiefs returned into the hands of our superintendant, "the presents which they had received from the rebel General Washington."

HOUSE OF ASSEMBLY IN 1778.

County of Halifax—James Browne in place of W. H. South.
Onslow, Londonderry, Sackville, Amherst and Yarmouth, all were vacant seats.
Richard Gibbons was solicitor general.

CHAPTER XLIII.

1779. 16 January, lieutenant governor Hughes sends lord George Germaine a copy of a treaty between the government of Massachusetts and the Indians of Nova Scotia, dated 19th July, 1776. The Indians were to send 600 men to join general Washington's army. The fisheries at Canso were worth £50,000 a year to England. The rebel cruisers destroyed it. Hughes wishes leave to fit out small armed vessels to cope with them. At this time governor Hughes urges a direct line of packets between England and Halifax. 12 Jan'y. The Revenge, privateer, capt. James Gandy, mounting 30 carriage guns, with cohorns, swivels, &c., and the privateer schooner Liverpool, George Young, commander, mounting 8 carriage guns, with swivels and small arms, were advertized for a four months cruize Southward, in the Halifax papers. On 18 January, the Queen's birth day was celebrated. A royal salute was fired from the batteries on the citadel, and at 1, P. M., a royal salute from H. M. ships in the harbor. In the evening a ball took place at Willis's Pontac.

Lieutenant governor Hughes writes to lord George Germaine 27 February. He tells him the revenue of the province increased in 1776, by the arrival of troops, who consumed dutiable articles. The enlisting of men for army and navy had raised the price of labor. The stock of cattle had been reduced in supplying the troops. Being thoroughly sensible of the very great expense which the nation suffers by this war, nothing but the inability of this province, and the necessity of the case, could have induced me to make the applications

which I lately have to your lordship. The monthly expence of the vessel called the Loyal Nova Scotian, for seamen and provisions, amounts to £125, besides repairs, for the wages of seamen is high and provisions are dear. Yet, without such an armed fleet, the entrance of this harbor would be as it has been before, unsafe and liable to loss and insult: and it is not only the coasting vessels, but the merchant ships and victualling ships from England, with provisions for the king's forces, are equally exposed to the risque of being taken, by the numbers of pirates which infest this coast, who, well knowing what ships annually come to this port at certain times of the year, have their stations to the Eastward and Westward of the harbor, from whence they watch the entrance of it with constant assiduity. The general assembly gave £200 for this service. Jan'y. 26. The privateer brig 'Sir George Collier,' at Mr. Cochran's wharf, and the ship 'St. Mary's packet,' letters of marque advertised for men. They were to sail in 8 weeks. 13 Feb'y. The privateer schooner 'Halifax Bob,' Ebenezer Foster, commander, owned by Alex. Brymer, of Halifax, sailed with the Revenge, on a cruize. Thomas Caldwell, merchant, was chosen for Horton, in place of Joseph Pierse, who resigned from ill health. The real estate of the late chief justice Belcher, being a farm, &c., at Windsor, and a house and garden at Halifax, were advertised for sale by John Kerby, administrator. 21 Feb'y. The H. M. ships Scarborough and Iris sailed for England. 21 March. The St. Lawrence and Adamant sailed for England. (These were called the annual ships, coming here regularly.) In March, the grenadiers and light infantry of the 70th, 74th and 82nd regiments, &c., left Halifax for New York. In May, a prize privateer sloop was brought in by an armed sloop, and a privateer schooner by H. M. S. Blonde, frigate; and the Revenge brought in a prize, viz., a snow, richly laden, bound from Cadiz to Chesapeake bay.

Mr. James Browne, member for county of Halifax, having left the province, three candidates offered, viz., John George Pyke, Richard Gibbons and Francis Boyd. 18 May. Soldiers

who were quartered at Lunenburg the past winter, came to Halifax in H. M. frigate North.

19 May, wednesday. The votes for Halifax county stood thus: for John George Pyke, 114; for Francis Boyd. 58. The king's birth day, friday, 4 June, was celebrated by a subscription assembly, to begin at 7, P. M.

The 12th session of the 5th general assembly of the province began at Halifax on Monday, 7 June. Richard Hughes, esquire, the lieutenant governor, opened the session with a speech, in which he says: "Since your last meeting, I have, through the judicious conduct of Mr. Francklin, superintendant of Indian affairs, very happily effected the re-establishment of peace with all the tribes of those people who inhabit this province, and at the same time they delivered up a treaty which they had actually made with the leaders of the rebels in July, 1776, whereby they engaged to furnish them with a body of six hundred men, for their assistance. I am therefore fully persuaded that the interior parts and back settlements of the province will now be secured from much alarm and disturbance, and,in consequence, a genera. tranquillity established as far as the present situation of public affairs will admit of." The total receipts at the treasury were stated at £6806 5 10
Sums paid out 6443 4 8
The item of money paid for interest was £866 14s. 2d.— June 11. The house addressed the lieutenant governor, complaining that £1724 16s. 9d. had been paid without act or vote of assembly. (This comprized the sum paid for Indian treaty, &c., hire of a crew for the schooner Loyal Nova Scotia to convoy Lunenburg vessels, the expence of building barracks at Cornwallis, and militia expences.) The repairs of roads in 1778, reported by Mr. Tonge, were £585 19s. 4d. 15 June. Mr. Hughes provided reimbursement of the monies spent for public safety. 16th. The house voted £5000 for armed vessels to protect the coast. 21st. Colonel Creighton's request for a block-house and guard at Lunenburg was sent by the lieutenant governor to the house; and on 26th, £50 each for block-houses was voted for Lunenburg, Liverpool and Barrington. 23rd. £50 voted Rev. Mr. Bailey and family, refugees.

The debt due by the province bearing interest was stated at £17,069 19s. 3d. 28 June. The assembly was prorogued,

On the 4 June it was resolved to send a serjeant, corporal, and twelve men, of the troops, to Chester, to join the militia there, as several vessels belonging to that place had been taken by the rebels, and they were exposed to injury. On 10 June, it was determined to send a military party to Londonderry. Capt. Studholm, commanding at fort Howe, (river St. John), stated that some of the people westward of that place had come to the fort in a wretched and starved condition, and some who had been in arms against the crown would be glad to return to their allegiance, but he was informed that no such people could be received.

On application of Mr. Francklin, 28 June, it was resolved to grant to Francklin and Paul Pemmenwicte, two miles square on the river Stewyack, adjoining the lands granted to the earl of Egmont, in trust for the tribes of Indians inhabiting the district of Shubenacadie and Cobequid. 3 Aug't. Mr. Francklin tells the minister that if the Indians were to join the king's troops their number would be small, and their families must be clothed and fed by government during their absence. He thinks them still much attached to France, and that they might turn against the king if French men-of-war appeared on the coast. Congress had sent a French priest to the borders of Nova Scotia, to seduce them from us.

General McLean had gone from Halifax, 12 June, with forces to Penobscot, convoyed by H. M. SS. Blonde, Nautilus, North, &c., and the Americans sent an armament from Casco bay to attack them. McLean landed at Majebigwaduce, 16th June, with 650 soldiers. In a few days after McLean posted his troops, 651 persons came in and took the oaths to the king. Twelve rebel prisoners were brought in from Windsor. They had been taken in the bay of Fundy, where they cruised in a large boat, armed, plundering the vessels and the inhabitants. McLean being invested by 10,000 men, a squadron, comprising H. M. S. Robuste, Licorne, frigate, Falkland, sloop of war, and the St. Lawrence, Adamant, Liberty, and brigantine Molly, armed merchant ships impressed for the purpose,

with a reinforcement, sailed August 22d from Halifax to his relief, but meeting with a disastrous gale, they came back to Halifax 30 August. In July, a riot occurred on one of the wharves in Halifax, in consequence of impressment of seamen, and lieutenant governor Hughes, in consequence, republished a proclamation, forbidding and denouncing such impressment, unless under the sanction of civil magistracy, as illegal, and tending to produce quarrels and bloodshed. (This had first issued 12 December, 1778.)

Sir George Collier sailed 3 August from Sandy Hook, to relieve McLean, at Penobscott. Collier had 6 or 7 men-of-war. 14 August he defeated and destroyed the American fleet of 37 vessels of war and transports the very day that the American commander, Saltonstall, and general Lovel, had fixed on to assault the fort. The fort had only been half finished. 23 of the English troops were killed in the siege. The American land forces on this occasion were near 2600 men. They had 16 small vessels of war, manned by 1940 seamen, and 20 transports. Several American privateers were about this time captured, and brought into Halifax. Allan, and some Indians, are said to have got to Machias, after a narrow escape of being taken in Penobscott bay.

Some Indians, who were in the rebel interest, had plundered the inhabitants at Miramichi, and 16 of them were seized by capt. Hervey, of H. M. S. Viper—one was killed, and twelve carried to Quebec, where general Haldimand then commanded. The families of the Indian prisoners were provided for by the attention of Mr. Francklin. The Indians of St. John river resisted every temptation held out to them by the Americans, and received Francklin, and the priest, Bourg, at their principal village with great rejoicings. Ten chiefs from the gulf shore came to Mr. Francklin, and begged aid for the prisoners' families, and made a treaty with him 22 September. 7 Oct'r. nine of the Miramichi Indian prisoners arrived at Halifax, having been sent on by general Haldimand. It was determined in council (Oct'r. 14) to retain Jean Baptiste Kayph and Michel Kayph, as hostages, for the good behavior of the tribe, and to liberate the rest, who set out for their homes 21st,

in the highest good humor. The inhabitants of Liverpool represented, by memorial, that they had been great sufferers at sea, by the loss of their trading vessels, taken from them by the rebels; that they had therefore, in this defence, resolved to fit out an armed vessel, and to apply for a letter of marque, but that they were to procure all the necessary supplies for that purpose, therefore pray the government would supply them with guns and ammunition: which, having been considered, was agreed to. Meanwhile, a party of rebel Indians came on from Machias, and took a vessel about 60 miles above fort Howe, plundered two or three of the inhabitants, and went off.

Between March and November two drafts of men had been taken from the garrison at Halifax, amounting together to 1200. This garrison was then reduced to 1400 men, exclusive of outposts and 100 artillerymen. A considerable part of the forces left were Hessians. It would take 800 men to man the batteries, leaving but 600 king's troops to oppose the landing or advance of an enemy, with the town militia, which could not bring more than 350 men into the field. Lieutenant governor Hughes says "this is all to rely on, in case of invasion of" "any part of the province, as the militia are so scattered in" "the country, and in some parts are of doubtful principles." The naval force was one frigate, 32 guns—one sloop of war, 18 guns, and two armed schooners, one 14 the other 10 guns. No new defence or fortification could be attempted until the spring, as winter had set in. [*Letter to lord George Germaine, 21 Nov'r.*] Two privateers were captured by the people along the shore, and brought in as prizes. The schooner Hope, captain Henry Baldwin, was wrecked near the light house, on the Three Sisters rocks. The captain and six other persons were drowned. In December, H. M. sloop of war North, and the armed ship Helena, were driven ashore in a S. E. storm and dark night, about a league from the light house. Both vessels were lost, and about 170 persons drowned.

APPENDIX TO CHAPTER XLIII.

(1.)

To be sold, an able negro wench. about 21 years of age, who is capable of performing both town and country house work. She is an exceeding good cook. For further particulars enquire of the printer. 19 January, 1779.

(2.)

[1779. *N. S. Gazette*, 22 *June*, 1779.]

Notice is hereby given, that the North British Society's quarterly meeting is to be held at Old Pontac, on Monday evening, the 28th of this instant, June, where the members are desired to attend at seven o'clock.

The antient free masons' lodge, No. 4, Halifax, of the antient Grand Registry of London, his Grace, John, Duke of Athole, Grand master of England and Scotland, will be assembled in due form, at the house of Mr. John Herrings, lately occupied by Mr. Wm. Sutherland, on tuesday, the 24th day of June, instant, to celebrate the anniversary of St. John.

Brethren may have tickets of admission on wednesday preceding, at said house. Dinner on the table precisely at 2 o'clock.

(3.)

Twenty dollars reward. Run away, on friday, the 20th instant, from the subscriber, a negro man servant, named Cromwell—a short, thick set, strong fellow; has had the small pox very full in the face, especially over his nose; speaks good English; had on when he went away, an outside green cloth jacket, white shirt and white breeches, long trousers and shoes, and a cock'd hat. Whoever will apprehend said negro, or secure him, by favour of the captain on board any of his majesty's ships, or others bound here, so that his master may get him again, or his wages, shall receive five pounds reward, and all necessary charges paid; or if any true intelligence can be given of him, that it may be certainly known whether he went off in the fleet which sail'd last, as is supposed, and in what ship, twenty shillings shall be paid to the first person that informs of him to his said master.

JACOB HURD.

(4.)

Jeffery Amherst was a son and heir of a gentleman in Kent. He was born in 1717. He served long in the army in America. In 1756 was made colonel of the 38th regiment—in 1757, major general—in 1758, reduced Louisbourg—in 1759–1760, completed the conquest of Canada, received the thanks of parliament, and was made governor of Virginia—in 1761 was made a knight of the Bath and a privy counsellor—in 1770, governor of Guernsey, and colonel of the 3rd and 60th regiments of foot—in 1772, lientenant general of the ordnance—20 May, 1776, he was created a peer—1778, a general—1779, colonel second troop of horse grenadiers, and commander-in-chief of all the British forces. He was commander-

in-chief in America before the revolutionary war. He was also made a field marshal. He was married twice, but had no issue. Sept'r. 6, 1788. He had a patent of baron Amherst, of Montreal, Kent, with limitation in favor of his nephew, Wm. Pitt Amherst. His brother, William Amherst, born in 1732, who recaptured Newfoundland, became governor there, and a lieutenant general, but died in 1781. Lord Amherst died Aug. 3, 1797, being eighty years old, and was succeeded in his peerage by his nephew, William Pitt Amherst, son of governo William Amherst. This second lord Amherst was ambassador to China.

CHAPTER XLIV.

1780. At this period, the war in the revolted colonies was not conducted on either side with any great energy, nor had it in 1778-1779 produced any very remarkable results. Privateers multiplied on both sides. Many were fitted out in this province. English ships of war were constantly visiting our coast, and prizes now and then were brought into Halifax harbor.

After Burgoyne had surrendered to Gates, at Saratoga, in 1777, France openly united with the Americans, and in 1779 sent count d'Estaing with a strong fleet to their support, but as yet the insurgents profited but little by their assistance. The affairs of Nova Scotia were then all on a small scale. The war, while it created bustle at Halifax, and no doubt afforded to some persons an opportunity for gain, did not tend to promote the agriculture, fisheries, or advancement of the country. On the contrary, the call for men as sailors or recruits, drained the land of the industrious laborers; and the harrasing visits of small American privateers to our shores checked the coasting trade, and by their pillage distressed the out-settlements incessantly. We cannot expect to find, therefore, many matters of deep interest or striking occurrences in the records of this part of our provincial history. All that the chronicler can effect must be to select from the many small transactions of a busy and restless time, the few matters of social or political life that seem most characteristic of the era and of the people of the colony. Although fleets and armies thronged America, yet the communication of intelligence had but little advanced.

Thus we find father Henry, of the N. S. Gazette, complains on 4 January that a vessel had arrived in 9 weeks from London, bringing papers to the 9 October previous, "but the printer" "could get none for publication." Both necessaries and luxuries were abundant. Mr. Brymer advertises twines, rum, sugar, coffee, flour, &c., wholesale; while at a druggist's shop, lower side of parade, opposite the church, you were offered violins, olives, almonds, mops, brushes, &c. The presence of troops and men-of-war brought luxuries into the market, and doubtless much gaiety also. Queen Charlotte's birth night was usually celebrated here with public balls, &c., on the 18th January. This year there were subscription assemblies, and the managers requested persons to give in their names at Pontac's for the ball and supper.

On the night of sunday, 9 January, three soldiers of the 'Loyal Nova Scotia Volunteers' (the corps Legge raised) broke into a house at the N. W. arm—stabbed the owner, Mr. Williams—fractured the skull of a Mrs. Jordan—plundered the premises, and attempted to set fire to them. They were discovered, and arrested on the 11th, and examined before justice Pyke, when they confessed their guilt. Early in February they were tried and sentenced in the supreme court, and about 10 February two were executed and the third respited.

On the 15 January "the brilliant successes in Georgia" "against the forces of the king of France and Rebels," were, by order of the commander-in-chief, celebrated by salutes from the citadel at 7 A. M., and at noon, and again at 4 P. M. The light infantry of the Halifax militia fired three vollies at 1, P. M. "The evening concluded with a general illumination through-" "out the whole town, and other demonstrations of joy."

February 25, one of the Indian hostages was liberated. on his promise to return or send another in his place. A brig, called the Sally, an American, from the French West Indies, laden with rum, sugar and molasses, and bound for New England, came to anchor in the night of 24 February, just outside Lunenburg harbor, probably driven out of her course by the weather, or to avoid English cruisers. At the dawn of day she sent a boat to land, the crew of which were suspected and

secured by the people at a farm house. The boat not returning, the brig fired a gun and hoisted the American flag. Two boats from the town, with 21 (officers and men) of the militia, attacked her, while the battery discharged its cannon. She was speedily boarded and made a prize. At LeHave, without the aid of cannon, the people captured another brig. Early in March a sloop and schooner, with cargoes from the French West Indies, also bound for New England, were cast away at Owl's Head, on our Eastern coast, and lost. The crews were saved and brought to Halifax. The schooner Freemason sailed 11 Sept'r., 1779, from Bermudas for New York—met contrary winds, &c., and eventually made land near Canso, in February, where she struck, and after a while sunk. The persons on board, 19 in number, landed near Whitehead, and all but three perished in the woods. The three survivors got to Canso, and thence to Halifax, 9 March, 1780. They had for days subsisted on human flesh.

The Indians for some time past had received some provisions, &c., out of the army stores, but general McLean declined to give any more without an order from the ministry or the commander-in-chief in America. This led to some correspondence of Mr. Francklin, as Indian superintendant, with lieut. governor Hughes and lord George Germaine, the secretary of state. Hughes confirms the necessity of keeping the Indians of the St. John river in good humor, as the cutting timber there for the navy, the English settlements, and the communication overland with Canada, might all be endangered or affected by losing their good will, and the Americans were always soliciting them to change sides.

Charleston, S. C., surrendered 12 May to Sir Henry Clinton. On the 19 May, a remarkable darkness occurred in New England, from 9 A. M. to 3, P. M.

Lord George Germaine having written (15 February) that a considerable fleet and large body of land forces had been for some time preparing at Brest, and calling on the provinces to be guarded against surprize,—at a council held here 25 May, it was resolved that the militia of Halifax should occupy such posts as could be assigned them, and that part of the country

militia be got ready to march to Halifax, if required. Within less than a week the fortifications were in great forwardness, and several encampments formed, 1500 men being daily at work. The Halifax militia exerted themselves spiritedly, and the bomb batteries were nearly completed. Recently lieut. Wheaton and six men (of major Hierlihy's corps) had attacked a lieutenant of a rebel privateer and seven men, in a house they had taken possession of at Partridge island. The rebel lieutenant and two of his men were killed, and the others were made prisoners. 10 June, a rebel shallop and eight prisoners were brought in here, which had been captured by fishermen on the Western shore. General McLean demanding more workmen, to complete the fortifications he esteemed necessary for the safety of Halifax, the governor and council (17 June) resolved that one-sixth of the militia of the townships of Lunenburg, Windsor, Falmouth, Newport, Horton, Cornwallis, Cumberland, Truro, Onslow and Londonderry should be employed for three weeks on the works at Halifax, which, they computed, would furnish 200 workmen for that time. On the 10 July, monday, the privateer brig Resolution, commanded by Thomas Ross, of Halifax, was taken, off the (Sambro') light house by a 'rebel' ship, the Viper, —— Williams, of 22 guns and 130 men, after a hot engagement. The brig had 8 men killed and 10 wounded, and the ship 33 killed and wounded. Both vessels were much disabled. 6 August, a cartel vessel sailed for Boston with prisoners. 10 Sept'r., a cartel arrived with 150 prisoners, in 21 days from Boston; and 11th, monday, another cartel from the same place.

(The melancholy affair of major Andre's capture occurred this autumn. He was executed October 2d.) 16 September, messrs. Charles Dickson, Eliakim Tupper and Robert Archibald were appointed justices of the peace for "the *district of Colchester*," formerly *Cobequid*, to include *Tatamagouche* bay, harbor and settlements adjacent, "now called *Southampton*," also the settlement of '*Pictou* and harbor,' called *Tinmouth*, also afterwards called *Walmsley*, in the county of Halifax.— One or more suits at law were brought in Cumberland against persons who had been in arms against the Fort in 1776, for

damages committed on private rights; and Thos. Watson, deputy provost marshal, having served a writ of this kind for a Mr. Harper, received an anonymous letter, threatening to ruin him. £100 was offered by the government to discover the author. The sailing and arrival of ships of war, privateers, &c., were the chief local events at Halifax. A small privateer and 23 men were taken by some fishermen at Prospect, and it was reported that a rebel privateer ship, mounting 20 guns, commanded by Conaway, (said to have been a lad from the shore of Halifax county), was captured by an English frigate.

9 Oct'r, monday. The assembly met—(5th general assembly, 13th session.) The lieutenant governor, now become a baronet, opened the session. Mr. Bryan Finucane, chief justice, was also the president of the council, and Mr. Nesbit still remained speaker of the house.

An act had passed in 1778 for appointing sheriffs in each county; and the house were now informed that, on the provost marshal of the province being compensated, the king would confirm the law, and the house voted Mr. Fenton £100 a year pension for life, (Oct'r. 21.) An act of confiscation, passed in 1779 against those who had deserted the province and joined the rebels, contained a clause by which all deeds and sales made by them within 3 months before their departure, were declared void. To this clause the lords of trade objected, as an *ex post facto* law, and unjust to innocent purchasers, and recommended a mitigation. Monday, 23 Oct'r. A motion was made by Mr. Shaw that the house do take into consideration the establishing *a public school* in such part of the province as shall be thought most proper. Ordered, that Mr. attorney general (James Brenton), Mr. Newton, colonel Tonge, Mr. Richard Cunningham, Mr. Chipman, Mr. Shaw and Mr. Cochran, do consider of a plan for that purpose, and report the same to the house. £100 was voted to the speaker; £20 each to clerks of supreme court in the country sittings; £100 sterling to the agent of the province; £200 each to the two assistant judges. The people of King's county having begged the protection of soldiers to be posted at Cornwallis and Horton, barracks had been built at cost of about £700. The house

requested the governor to sell the premises, and also voted £39 16s. 2d. for barracks and battery at Liverpool.

Thursday, October 26, 1780. Mr. Brenton, from the committee appointed to take into consideration a plan for establishing a public school, reported the opinion of the committee, that a sum not exceeding £1500 be granted to defray the expence of erecting a proper and convenient building in the town of Halifax for that purpose, the said sum to be raised in manner as shall be directed by the general assembly;—that a sum not exceeding £100 be annually granted in the estimate of expences of government for the support of a schoolmaster, and when the number of scholars shall exceed forty, a further allowance of £50 per annum be added in the said estimate for the support of an usher or assistant;—that there be annually appointed by the governor, lieutenant governor or commander-in-chief, five persons as trustees and directors of the said school, who are to be empowered to make bye-laws and regulations for the same, and be incorporated for that purpose. And the house having taken the report into consideration, Resolved, that this house doth agree to the same. Ordered, that a bill for establishing a public school in the town of Halifax be prepared, pursuant to the report, and also a bill for raising the sum of £1500 by a lottery, for defraying the expence of building the school house. (An act was accordingly passed in October, 1780, 20 G. 3, c. 3. 1 Uniacke's acts, p. 220.) Oct'r. 28. Mrs. Ann Cottnam petitioned for £281 15s. 5d. due by the province to the late Geo. Cottnam, of Louisbourg, her husband. Nov'r 2. The council negatived a bill, which passed the house, to raise money in the counties for payment of their representatives. Friday, Nov'r. 3. £3 18s. od. was voted by the house to Dr. Breynton, as chaplain. The debt of the province, bearing interest, was stated at £17069 19s. 3d. The assembly was then prorogued.

Mr. Francklin, as superintendant of Indians, writes to lord George Germaine, 21 November. He says: "The disposition of the Indians during the summer and towards the fall have been very tranquil, remarkably so since the meeting held

at St. John's river the 27th June last, where about 300 fighting men, besides 600 women and children, were assembled, when several deputies from the Otawas, Hurons, Algonkins, Abenakis, and other nations from Canada, being present, required the Indians of this province to withdraw from the Americans, and to remain quiet, for that they had declared war against them, and consequently should treat all Indians found among the Americans as enemies. Upon this declaration, the Indians almost universally withdrew from Machias and its neighborhood, but lately I find the rebel superintendant of Indians hath circulated several papers and messages from thence,—one of them I have now the honor to enclose. Information has also been received from Passamaquoddie, of the 25th ultimo, that a French priest had arrived at Machias about ten days before from Rhode island, with some young gentlemen from France, and that a number of belts, medals, and other articles, had been sent by the French general officers. What effect they may have, time will discover. I fear the consequences." He says he received some assistance from the province, but is still £900 in debt on account of supplies &c., for the Indians. Mentions that the Miramichi hostages were released. The presents for the Indians, shipped viâ Newport, in 1779, had not yet been received. 22 Nov'r. A navy transport arrived at Halifax with a cargo of masts from the river St. John, for H. M. service. Sir R. Hughes acknowledges obligation in this business, which he calls a first essay, to major Studholm, commanding fort Howe. It is to be remembered that cargoes of masts were regularly received by Louis XIV, from Acadie.

CHAPTER XLV.

1781. Mr. Legge, who left the province in 1776, continued to hold the commission of captain general and governor-in-chief, although he did not revisit it, the actual government being carried on in succession by three lieutenant governors, who were officers of the navy, viz.: commodore Arbuthnot; after him Mr. Hughes, who held the office of commissioner of the naval yard at Halifax, and became a baronet, and was also promoted in 1780, 26 Sept'r., to be a rear admiral of the blue; and lastly, Sir Andrew Snape Hamond, captain R. N. During these six years it seems probable that Mr. Legge, through the interest of his family, received the pay of £1000 per annum as governor of a province from which his unjustifiable conduct had compelled the ministry to recal him. Both Hughes and Hamond held the office of commissioner of the naval yard, and it may be doubted if they received even the half salary allowed to lieutenant governors.

The British continued to hold their fort at Majebagaduce, on the Penobscot, (called in the old French times Pentagoët), under command of a general officer named Campbell. It afforded them a place to carry in their prizes, and they had a village there of about 30 houses. From Halifax, and from New York, which remained in the hands of the English, this port was plentifully supplied with merchandize of all kinds. Many persons from New England, who were discontented with the state of things under the rebel government, sought a refuge there. Some of these fugitives left a place called Falmouth, and compelled a person who resided near Cambden,

and who was a noted friend to the English government, to act as their guide through a forest to Majebagaduce. On the return of the guide, his proceedings were discovered by the Americans. He was tried by a court martial, over which major Burton presided—was condemned to death, and executed by order of general Wadsworth, who had been placed in command in Maine the year before by the legislature of Massachusetts. In February, Wadsworth dismissed most of his troops, and was preparing to return to Boston; but the people at Penobscot, exasperated at the cruel execution of the guide, ascertained that Wadsworth might be captured, and a party of about 25 men at midnight broke into his quarters and carried him off prisoner. Burton was also captured, with money and goods in his possession. Wadsworth was treated with kindness and respect, but finding that he would not be paroled, he and Burton made their escape from Majebagaduce on the 15 June, 1781, by great exertions and perseverance. The particulars of this escape are given in Dwight's travels, and remind one of the history of baron Trenck.

About this time, one Paul Reed, of Townshend, plundered, burned and destroyed the dwellings and property of those who were disaffected to the American cause along the Eastern shore of Massachusetts, and sailed thence to execute a similar vengeance on the coasts of Nova Scotia.

On saturday, 6 January, an armed party of navy officers, assisted by marines and soldiers, seized, at Halifax, several persons belonging to Lunenburg and Halifax, "tied their" "hands behind their backs—carried them through the streets" "like malefactors—lodged them in guard-houses, and after-" "wards carried them prisoners on board" ships of war. The Quarter sessions being then sitting, the grand jury presented this grievance, stating that "the town of Halifax had been for" "a long time furnished and supplied with provisions, fuel and" "other necessaries of life, by the inhabitants of Lunenburg," "Liverpool and Chester, who transport the same in their" "vessels for sale;" and they expressed a wish that some" regular mode of impressment should be adopted. (The names of this grand Jury were: William Meany, William Graham,

Robert Killo, Peter McNab, John Boyd, William Mott, William Millet, junior, John Moore, William Carter, James Creighton, John Creighton, John Cleary, Richard Jacobs, Charles Hill.) This presentment was made monday, 8 January, and on the 15th the justices in session concurred in their views, and requested the lieutenant governor's interference. On the 22nd, Sir R. Hughes issued a proclamation, declaring that "impressing men for the king's service without the permis-" "sion of the civil authority is contrary to and an outrageous" "breach of civil law," and directing all justices, &c., to resist such acts, and to apprehend and bring to justice all who have offended, &c. Whether the unfortunate captives were rescued, the record sayeth not. 30 April. Sir Richard Hughes wrote to lord George Germaine that 'upwards of 200 sticks' 'for masts, yards and bowsprits, have been cut, squared and' 'approved by the king's purveyor, at the river St. John, in' 'the course of this last fall and winter, and one of our navy' 'transports is actually at fort Howe, embarking the second' 'cargo of those stores, from whence I expect her return to' 'Halifax in the course of the month of June.'

Brigadier general Francis McLean, colonel of the 82d regiment, died at Halifax on the 4 May, 1781. He was buried here on the 6 May, and colonel Bruce took command of the troops.

29 April, sunday. In the evening there arrived at Halifax the armed schooner Buckram, from Lunenburg, with a small rebel schooner, privateer, which she captured on her way.

On the 21 May, about 30 rebels, in a shallop mounting one carriage gun and six swivels, with two armed whale boats, came up the bay of Fundy, and took a schooner belonging to captain Sheffield, laden with goods for the river St. John, and carried her down the bay, and was pursued by captains Bishop and Crane, in a small schooner, with 35 men, which, after an engagement of twenty-five minutes, the rebels took and made prisoners: upon which, lieut. Belcher, of the volunteer militia of Cornwallis, with 28 volunteers, embarked on board an armed sloop at that place, and proceeded down the bay after the rebels, whom they came up with, and retook capt. Sheffield's

vessel, after killing one rebel. The rebels took to their whale-boats, and ran ashore at Cape Split, where lieutenant Belcher could not follow them for want of boats. After which he gave chase to the vessel taken from captain Bishop, upon which captain Bishop discovered the vessel coming after them, rose upon the rebels and retook the vessel. The sloop, with her prizes and rebel prisoners, returned to Cornwallis the 1st instant, and on sunday the prisoners arrived here and were put into confinement. The expences incurred of hiring the sloop Success, pay of the militia men, &c., and bringing the prisoners from Horton to Cornwallis, came to £175 14s. 4d.

The assembly met monday, 11 June, (Mr. Nesbitt speaker of the house.) Sir Richard Hughes, in his opening speech, mentions his promotion, and that Sir A. S. Hamond is to succeed him as lieutenant governor, and compliments both houses on the ready and diligent concurrence they have shewn him in carrying on the king's service. 20 June. The house resolved to ask for troops to be sent to the forts and garrisons in the province not sufficiently provided. June 21. A resolution passed to pay 10s. a day to members of the distant towns and counties who 'shall think proper to apply for the same.' On the same day a motion was made for leave to bring in a bill to repeal certain clauses in the laws of this province which affect persons professing the Roman catholic religion, and Mr. Shaw was ordered to prepare and bring in the same. Friday, June 22. The council agreed to the resolution for payment of the representatives, 'to be taken out of the sum allowed for contingen-'cies.' June 25. £350 for chief justice, and £300 each to the other two judges, were put in the estimate; for the treasurer, to include clerks and office rent, £400; superintendant of buildings, roads, &c,, £150. John Cunningham claimed, as being appointed agent for Indian affairs by lord William Campbell, 24 March, 1769, and continuing till 31 May, 1781:

For disbursements and supplies,	£535 14 6
Salary for about twelve years,	839 0 0
	£1374 14 6

Friday, 29 June. A pension of £50 sterling for life was voted

to Elizabeth Amelia Belcher, the orphan daughter of the late chief justice Belcher. Monday, July 2. Windsor, Falmouth and Newport townships petitioned to be set out as a county, from the inconvenience of attending at Horton, the county town of King's county; on which, these townships, with the lands contiguous thereto, were erected into a county, to be known by the name of the county of Hants. 3 July. £100 was voted to James Brenton, H. M. attorney general. Wednesday, 4 July. "The house now occupied by H. M. council" "and the house of assembly, was, several years since, allotted" "by government as a parsonage house for the rector of said" "parish." "£500 was voted to buy a house for the rector of" "St. Paul's, instead of the house, whenever it is transferred" "to the province." The legislature then met in the house at the corner of Sackville and Barrington streets, long occupied as the Halifax grammar school. The salary of the chaplain, Dr. Breynton, was £3 15s. 0d.; Etter, messenger and doorkeeper, £6 5s. 0d. The debt of the province on interest was £17,069 19s. 3d. Some question was made as to the costs of trial in the case of Anthony Lancefield, charged with the murder of seven persons on the high seas, amounting to £209 19s. 0d., as to the charge being made against the province, and other points arose about building barracks and paying for signals. On the 5 July, the lieutenant governor, Sir Richard Hughes, gave the royal assent to 11 acts of assembly, and prorogued the parliament.

Some riot occurred at Granville, near Annapolis, and on the representation of the justices of the peace there, that one of their number, Mr. Pineo, was *suspected* of harboring persons implicated, he was struck out of the commission by the council 17 June. At same meeting of council, Mr. Henley, a priest, was authorized to officiate for the Indians at St. John river, and he was to have £60 a year salary, and £50 to go to Quebec and return. The townships formerly granted to Alex'r. McNutt and his associates, at Shedeboack, and on river Philip, were to be reserved until H. M. pleasure be known. Sir R. Hughes, chief justice Finucane and Mr. Butler, each were to

apply for 20,000 acres, and 10,000 on river Philip were reserved for Leonard Horner.

Thursday, 14 June. The Charlestown frigate, capt. Evans, arrived with a valuable French prize. The Charlestown had recaptured the sloop-of-war Atalanta, which had been taken by the '*rebel*' frigate Alliance, and she came in here the same day with the Vulture, sloop-of-war. On saturday, 16 June, the Charlestown sailed out on a cruize. June 23, saturday. The '*rebel*' privateer brig Flying Fish, prize to the Charlestown, arrived here; and on monday, 25 June, the Charlestown, captain Evans, arrived at Halifax from her cruize. Friday, 13 July. The *rebel* privateer brig *Yankee Hero*, captured by the Charlestown, came into Halifax harbor. Sunday, 14 July. The Charlestown came in from her cruise. On the 19 July, near to Spanish river, (now Sydney, C. B,,) the Charlestown, capt. Evans, the Vulture, capt. George, the Vernon, (armed ship), and the little Jack, discovered two French frigates. Captain Evans having signalized for the transports to make for port, most gallantly, with this very inferior force, bore down to the enemy. Some time after the action began, captain Evans was killed by a cannon shot. Mr. Mackay, the next officer of the Charlestown, under direction of captain George, of the Vulture, continued the action with the greatest coolness and bravery. On board the Vulture were troops of the 70th regiment, under command of captain Evatt, who, with fixed bayonets, were ready for boarding the enemy if necessary. Notwithstanding that the French were superior in weight of metal, number of men and size of their ships, they gave way to the obstinate defence of the English, and sheered off. The much shattered little English squadron was brought into Halifax harbor by captain George. On the 31st July, tuesday, capt. Evans was interred at Halifax with every military honor. (There is or was a monumental tablet to his memory in St. Paul's church.)—From the Log of the armed ship Jack, of 60 guns, R. P. Tonge, commander, (provincial.) Saturday, 21st July, 1781. Describes particulars of movements of the vessels. On the English side, the Charlestown, the Allegiance, the Vernon and the Vulture, and the Jack. "I

had John McKay, killed ; James Gormory, who was at the helm, mortally wounded upon the quarter-deck ; and William Clark, wounded upon the main deck. The frigates belonging to the king of France, which I struck to, were : the L'Astrée, of 28 12-pounders and 10 6-pounders, with 300 men, commanded by M. La Perouse, capitaine de Vaisseau, fights 44 guns ; and the L'Hermione, of 26 12-pounders and 10 6-pounders, the same number of men, commanded by M. Latouche, lieut. de Vaisseau, fights 42 guns."

On monday, 30 July, Sir Andrew Snape Hamond, lieutenant governor of Nova Scotia and commissioner of H. M. navy yard at Halifax, arrived from England at Halifax, with his lady and two children. On the same day arrived two rebel ships, of 18 guns each, and an armed brig, captured on the banks of Newfoundland by the Suprize and Aurora, frigates. H. M. S. Royal Oak, on her passage from Halifax to New York, captured the rebel ship Aurora, 18 guns, and sent her to New York. H. M. sloop the Hind captured the Thorn, an American 'rebel' ship. The Thorn was recaptured by two French ships, but 64 prisoners taken in her were brought to Halifax by lieut. Wheaton, who arrived here from the island of St. John on the 5 August. On the 31 July, Sir A. S. Hamond was sworn into office as lieutenant governor of the province. In August, many troops arrived at Halifax from New York. On the 28th day of August two '*rebel*' schooners, one of 12 and the other of 10 carriage guns, with 80 men, came up the basin by night to the town of Annapolis Royal, and landed half their men by break of day, without being observed ; they first secured the block-house, in which were only three soldiers (from the garrison at St. John's river)—they entered the South sally port—took possession of the barracks within the stockades—surprized the guard, who were fast asleep, without opposition or alarm, unless their own pilot, (said to be a Frenchman), whom they killed by mistake, might be called an opponent. In the dawn of the day, 29th, they surrounded the houses of the principal inhabitants, and made every man and boy in the town prisoners, and secured them and their arms in the block-house and ditch of the old Fort. They then pro-

ceeded to plunder every house, store and shop of what goods, provisions, furniture, plate, bedding, cloathing, &c., were to be found and portable, taking even their wearing apparel, so as not to leave them a second shirt, and the buckles out of the ladies' shoes. They spiked the cannon; and about noon fell down to Goat island, five miles below the town, taking with them Thomas Williams, father (I believe) of general Sir W. F. Williams, and John Ritchie, (grandfather of the hon. J. W. Ritchie, solicitor general), as prisoners, whom they afterwards released on parole, and promise that a person who was a prisoner at Halifax should be liberated in exchange.

Under the act for establishing a public school at Halifax, managers and directors were appointed, viz., Henry Newton, Jonathan Binney, James Brenton, John Cunningham and Charles Morris, junior.

Early in September, Mr. Alex'r. Brymer, who had suffered loss by a fire on 31 August, petitioned to prevent a play-house being erected in the back yard of old Pontac, shewing the danger to the king's ordnance stores, as well as to his premises, if by any accident this play-house took fire,—on which the council resolved that the intended building should not be erected.

The lottery to raise £1500 for the public school was divided into two classes, and the first class advertized 25 Sept'r. 5000 tickets, at 20s. each. The highest prize was 2000 dollars. The prizes came to £4250, leaving £750 to be appropriated.

The small provincial armed cutter Jack, 6 guns, commanded by R. P. Tonge, (probably son of W. Tonge,) which had taken part in the naval action in which capt. Evans was killed, left Halifax 6 Oct'r., for Quebec. (As he mentioned striking to the French, we must suppose his re-capture after.) On the 10th, as he was entering the gut of Canso, he was met by two American privateers, belonging to Marblehead, each better armed than his vessel. They pursued him into Petit de Grat. There he anchored, and brought a spring upon his cable, and engaged them. He got one 9-pounder on shore on an eminence, and used it effectively. He captured one of them, and drove the

other off. He then paroled all his prisoners but one, and on the 12th sailed for Quebec, with his prize.

The merchant ships Adamant and St. Lawrence arrived from London on tuesday, 30 October. They were called the annual ships, (in vulgar parlance the *anvil* ships.) Many prizes were brought here also in November and December. In the gazette of 11 December, Sir A. S. Hamond, governor and commissioner, advertized for tenders to build a *naval hospital*, in the spring of 1782, "in the field above Mr. Butler's" "still house."

Mr. Morris, assistant judge of supreme court having died, the attorney general, Brenton, was appointed in his place 8 December. Sir A. S. Hamond appointed Charles Morris, son of the late Mr. Morris, to his post of chief land surveyor. He recommended Alexander Brymer, merchant, to be one of the council. He also says: "The works" (at Halifax) "are in good repair, but require a much larger garrison than we have at present to defend them completely. The militia are in tolerable condition. I have seen only those of Halifax county as yet. They consist of 431, and may be depended upon. In the spring of the year I shall make myself acquainted with those of the other counties." "I have the satisfaction to acquaint your lordship that from what I have seen and collected, that I have a very good opinion of the loyalty of the inhabitants of this province in general. There are a few disaffected people in the town and remote parts of the province, but as they are known and pretty well watched, I think them too inconsiderable to be of any material consequence under any circumstances. My own situation is very agreeable to me in every respect but in the article of expence, every necessary being doubled since the year 1775, when I was last in the province, and it is now so considerable that the income of lieutenant governor will not maintain my horses, pay my servants wages, and find my house in fuel.

A guard of the King's rangers having maltreated the American prisoners here, on board the prison ship, were punished Saturday, 29 December, under sentence of a garrison court martial. The Americans, under Green, were defeated 25 April

by lord Rawdon, at Camden, in South Carolina. The same armies met under the same generals, at Eutau springs, 8 September, but it proved a drawn battle. On 19 October, lord Cornwallis surrendered his whole army of 7000 men, with 160 pieces of artillery, to Washington, at Yorktown, in Virginia.

ADDENDA.

(1.)

[*From Belknap's History of New Hampshire.*]

"John Wentworth. esquire, was appointed lieutenant governor of New Hampshire, under governor Shute, in 1717. He was grandson of William Wentworth, one of the first settlers of the country—had been a shipmaster and merchant, and had made a handsome fortune. He had been five years in the council, and was esteemed moderate, prudent and obliging. His son, Benning Wentworth, was appointed governor of New Hampshire in 1741, on the removal of governor Belcher. He was also a merchant. He was also Surveyor general. He was removed in 1776, and his nephew, John Wentworth, son of Mark Hunking Wentworth, was appointed governor in his place, and, like his uncle, was also made Surveyor general of the king's woods in North America, and he continued in that office till the American Revolution in 1775 put an end to British rule in the older colonies. After this he retired into Nova Scotia, retaining the office of Surveyor in the remaining provinces. He was made lieutenant governor of Nova Scotia, and a baronet, and died at Halifax, N. S., (8 April, 1820), at a very advanced age," (in his 84th year.) He was succeeded in his baronetcy by his son, Sir Charles Mary Wentworth, who, dying without issue, the title became extinct. The late Mrs. Gore, the novelist, was one of this connection, and has presented some volumes of Sir John's letters to the Government of Nova Scotia.

"Lieutenant governor Wentworth, of New Hampshire, was succeeded in 1731 by colonel David Dunbar, then the Surveyor General. This appointment was made on the recommendation of the Board of Trade. Dunbar became connected with the opponents of govr. Belcher, and he procured the appointment of Theodore Atkinson, Benning Wentworth and Joshua Pierce, as councillors of New Hampshire. Dunbar claimed one-third of the salary of £600 currency which Belcher received as governor of New Hampshire. Dunbar's own salary as Surveyor General was £200 sterling, and the fees and forfeitures of that office were divided with his deputies. In his endeavors to carry out the orders of the British Government, he was involved in quarrels with the lumberers and owners of sawmills. Some drove him off with threats, and on one occasion the rigging of his boat was cut and a hole made in her bottom by parties disguised as Indians, by which means he and his boat's crew came near sinking. A proclamation was issued against the offenders, but as no reward was offered, nor probably any exertions made to discover them, it proved *brutum fulmen.*"

"In 1737, Dunbar went to England, with a view, as supposed, to obtain the commission of separate governor of New Hampshire. This, however, was given in 1741 to Benning Wentworth, another of Belcher's opponents; and in 1743, Dun-

bar was appointed governor of St. Helena by the East India Company. Governor Belcher acted on the idea that he was virtually present in New Hampshire, altho' actually resident in his other province of Massachusetts, and that consequently Dunbar, the lieutenant governor, could not act. Dunbar had no seat n the council, and Shadrach Walton, the senior councillor, summoned the council and presided in it. He also held command of the Fort by the governor's commission—granted passes for ships and marriage licenses, and received and executed military orders. "The Lieutenant Governor contested this point, but could "not prevail; and finding himself reduced to a state of insignificance, he retired "in disgust to his fort at Pemaquid," (Frederick's fort,) "where he resided almost "two years."

"On Dunbar's return to Portsmouth in 1734, governor Belcher, yielding probably to the opinion of the Home Government, gave him the command of the fort, and the ordinary perquisites of office, amounting to about £50 sterling."

(2.)

1749. July 3. Mr. John Shippey obtains the first license to sell liquors, subject to a payment of a poor's tax of one guinea a month.

July 19.	Similar license	to	John Williams.
20.	do.	do.	to William Croft.
21.	do.	do.	John Aubony.
28.	do.	do.	Richard Wenman.
Aug. 11.	do.	do.	John Willis,
21.	do.	do.	Ewnosh Auchmuty.
"	do.	do.	Jean Gibbons.
22.	do.	do.	Esther Addington.
"	do.	do.	Samuel Blagrave.
Sept. 1.	do.	do.	Edward Orpen.
	do.	do.	William Neile.
Octr. 2.	do.	do.	John Cooke.
Nov. 1.	do.	do.	John Deneston.
5.	do.	do.	Linack Martin.
	do.	do.	Robert Parfet.
Decr. 1.	do.	do.	Joseph Ford.
"	do.	do.	Thomas Franklin.

(3.)

Governor Cornwallis gave written instructions to lieutenant colonel Mascarene. Among these are :—

"You are to keep the garrison of Annapolis Royal in readiness to march upon the shortest notice."

"Upon your arrival you are to detach one captain, three subalterns, and 100 men to Minas."

"You are to cause the block-house now erected at Annapolis Royal, to be taken down and transported to Minas, there to be set up for the protection of the detachment you are ordered to send there."

"You will constantly correspond with me, giving me an account of all transactions on your side of the province."

He is to obtain intelligence;—the person he employs for this to be paid. To keep an eye on the French at St. John. One of the sloops and a row galley will be allowed him for this purpose.

Given at Chebucto, August, 1749.

E. C.

The rest military regimental orders.

(4.)

[*New York Historical Magazine*, 1859, *April*, *p.* 131.]

We notice the following account of the parentage of General Gates, always a mooted question. It was known that he was in some way connected with the Walpole family, and scandal has ever attributed to him a filial relation to Sir Robert, the father of Sir Robert Walpole. But the latter, under the date Feb'y. 16, 1778, says: "General Gates's letter to Lord Thanet, laid before the House of Lords. Gates was the son of a housekeeper of the second Duke of Leeds, who, marrying a young husband when very old, had this son by him. That duke of Leeds had been saved, when guilty of a Jacobite plot, by my father, Sir Robert Walpole, and the duke was very grateful, and took great notice of me when I was quite a boy. My mother's woman was intimate with that housekeeper, and thence I was godfather to her son, though, I believe, not then ten years old myself. This godson, Horatio Gates, was protected by General Cornwallis, when governor of Halifax; but being afterwards disappointed of preferment in the army, he joined the Americans.

General Cornwallis, to whom reference is here made, was an uncle of lord Cornwallis, who defeated General Gates at Camden, S. C., in 1780, but afterwards surrendered at Yorktown.

END OF VOLUME II.